



KNIGHTSE N TOWN COMMUNITY SERVICES DISTRICT (KTCS D)

REGULAR MEETING MINUTES

Thursday, May 6, 2021

In accordance with the Governor's Executive Order, the Knightesen Town Community Services District (KTCS D) held the meeting via teleconference. To accommodate the public, KTCS D arranged for members of the public to observe and address the meeting telephonically.

The meeting was called to order at 7:01pm.

Members Present: Chair Bello-Kunkel, Vice Chair Somerhalder, Director Caldwell, Director de Fremery.

Members Absent: Treasurer Matteri

Audience Members: 8

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE – Chair Bello-Kunkel explained procedures, called the roll and Director Somerhalder led the pledge of allegiance.
2. APPROVAL OF AGENDA

It was moved by Director Somerhalder and seconded by Director de Fremery to approve the agenda for the May 6, 2021 meeting.

Roll call vote was taken: Motion carried by the following vote – Ayes: Directors Caldwell, de Fremery and Somerhalder, Chair Bello-Kunkel; Noes: None; Absent: Director Matteri; Abstain: None.

3. PUBLIC COMMENT (3 MINUTES PER SPEAKER) – None.
4. AGENCY REPORTS – REPRESENTATIVE OF THE KNIGHTSE N TOWN ADVISORY COUNCIL (KTAC)

KTAC Council member Karen Reyna reported there was no KTAC meeting for the month of April due to a lack of quorum. The next scheduled KTAC meeting is on May 18th, most likely by Zoom teleconference. There is a vacancy on the KTAC board. Interested applicants should contact Supervisor Burgis' office, or Deputy Chief of Staff Lea Castleberry at 252-4500.

5. CONSENT CALENDAR

A. Approve minutes of March 4, 2021 regular meeting.

It was moved by Director Somerhalder and seconded by Chair Bello-Kunkel to approve the minutes for the March 4, 2021 meeting.

Roll call vote was taken: Motion carried by the following vote – Ayes: Directors Caldwell, de Fremery and Somerhalder, Chair Bello-Kunkel; Noes: None; Absent: Director Matteri; Abstain: None.

6. CORRESPONDENCE – Chair Bello-Kunkel briefly reviewed the correspondence.
 - A. 3/5/21: Emails to/from Contra Costa County Elections Dept re: obtaining voter data files for community survey efforts.
 - B. 3/25/21: Emails from East Contra Costa Habitat Conservancy re: 3/29/21 Board Meeting packet.
 - C. 4/15/21-4/20/21: Emails to/from Francisco Associates re: parcel data file, tax information, and contract for applying parcel tax for coming fiscal year.

- D. 4/21/21 Email from East Contra Costa Habitat Conservancy re: 4/26/21 Board Meeting packet.
- E. 4/22/21: Email from East Contra Costa Habitat Conservancy re: small grant program funding proposal for Science and Research Grant Program.
- F. 4/30/21: White & Brenner, LLP: Annual Statement of Economic Interest (Form 700) from legal counsel.

7. TREASURER'S REPORT – In Treasurer Matteri’s absence, Chair Bello-Kunkel presented the Treasurer’s Report.

- A. Bills Paid: Contra Costa Elections Dept \$300 for Elections Set-up Fee for Nov 2020 election; US Postal Service \$11 for book of stamps; Reimbursement to Director Matteri \$78.42 for printer toner; Reimbursement to Chair Bello-Kunkel \$114.99 for Zoom teleconference subscription (3/29/21-4/28/21); Reimbursement to Chair Bello-Kunkel \$114.99 for Zoom teleconference subscription (4/29/21-5/28/21).
- B. Current checking account balance after bills paid: \$248,147.12.

8. CHAIRPERSON'S REPORT – Chair Bello-Kunkel presented the Chairperson’s Report.

- A. Annual Statement of Economic Interest (Form 700) due.

Chair Bello-Kunkel reminded Board Members to complete and submit their Form 700s. Chair Bello-Kunkel also reported that on May 12th at 9:00am the County is having a Transportation, Water and Infrastructure meeting. She said she plans to attend the meeting and speak on behalf of the District regarding County maintenance of ditches and culverts in Knightsen. The County has previously stated that there is no routine maintenance schedule for Knightsen. Chair Bello-Kunkel said if anyone else wants to attend this meeting to let her know and she would forward them the agenda.

Director Caldwell pointed out the County did clean ditches in the vicinity of the intersection of Knightsen Avenue and Delta Road a little over a year ago and that helped a lot. He asked whether we are aware of any ditches that need cleaning. Chair Bello-Kunkel said she would scout around and take a few photos before the meeting. She said Knightsen resident Bonnie has already pointed out that one culvert in downtown Knightsen that crosses Delta Road is compressed.

9. ITEMS FOR ACTION AND/OR DISCUSSION

- A. Discuss 2021/2022 Special Parcel Tax Assessment; Adopt Resolution 2021-1 setting 2021/2022 Special Parcel Tax Assessment. (AGENDA PACKET).

Chair Bello-Kunkel said that the agenda packet includes a one-page document that shows both the parcel tax options and the proposed budget. The number of paying parcels in Knightsen remains at 599. What has changed is 3 parcels that were undeveloped have become developed. To lead the discussion four different parcel tax options are presented. Three of these are the parcel taxes that have been imposed at different times in the District, plus the maximum parcel tax allocation.

Last year the tax was set at \$0. KTCSO’s authority to tax is based on Measure Z passed in 2005 which authorized the tax for the purposes of constructing, maintaining and operating flood control and water quality facilities and related administrative costs. Last year the District was in the process of dissolving with no intention to construct projects. We presently still have no intention to construct projects and we are trying to determine our future. She said that since the District has no plans for projects it is her opinion that the only alternative is to continue the tax at \$0 since the authority to tax is for flood control and water quality projects.

Discussion: Director Somerhalder said the tax should remain at \$0. We have operating costs, but the District has funds available to cover those costs. Until we determine what we are going to do it should remain at \$0.

Director Caldwell agreed the tax should remain at \$0. He suggested adding language to the resolution. Where it states, "Whereas, the Board of Directors of KTCSO have determined that KTCSO does not have a sufficient number of residents and a large enough tax base to implement, operate, administer and maintain enhanced drainage and flood control projects," that "proposed thus far" be added at the end of that sentence.

Karen R. said it is prudent to keep the tax at \$0.

Director de Fremery said she agrees regarding the tax and supports the change proposed by Director Caldwell.

Chester H. expressed support for keeping the tax at \$0.

It was moved by Director Caldwell and seconded by Director Somerhalder to adopt Resolution 2021-1 with the revision suggested by Director Caldwell. Resolution 2021-1 sets the parcel tax at \$0 for all parcels.

Roll call vote was taken: Motion carried by the following vote – Ayes: Directors Caldwell, de Fremery and Somerhalder, Chair Bello-Kunkel; Noes: None; Absent: Director Matteri; Abstain: None.

B. Discuss and approve preliminary budget for Fiscal Year 2021/2022 (AGENDA PACKET).

Chair Bello-Kunkel said that with the tax set at \$0 that means there are some revisions to the proposed budget. With the parcel tax set at \$0, the \$500 to Francisco Associates for Parcel Tax Preparation and the \$800 budgeted for County Parcel Tax Collection Fee can both be eliminated. The \$120 for Web Hosting stands because that amount is based upon the revenue the District takes in.

Other assumptions are that meetings will continue to be held by Zoom through December so the Zoom subscription is based upon six months and the assumption is in-person meetings will resume in January 2022, so the Garden Club rent is based on six months.

\$3,000 is budgeted for District Survey costs as a preliminary estimate. Chair Bello-Kunkel pointed out that this is a preliminary budget. The final budget will be approved after a public hearing is noticed and held in July.

It was moved by Director Somerhalder and seconded by Director de Fremery to approve the preliminary budget for Fiscal Year 2021/2022 with the revisions noted by Chair Bello-Kunkel.

Roll call vote was taken: Motion carried by the following vote – Ayes: Directors Caldwell, de Fremery and Somerhalder, Chair Bello-Kunkel; Noes: None; Absent: Director Matteri; Abstain: None.

C. Continuation of discussion regarding Community Survey - Discussion led by Director Caldwell (Survey Content) & Chair Bello-Kunkel (logistics and timing). (AGENDA PACKET).

Director Caldwell said the proposal is to send out a letter regarding the survey. The letter reviews some of the District's history. The proposed survey is ten questions. District Caldwell briefly reviewed the questions. The survey should take people less than ten minutes to complete.

Discussion: Director Somerhalder suggested that regarding the question about the continuation of the District, that the follow-up question be "why" the District should continue or not continue.

Karen R. suggested that the letter be briefer. Some of the content of the letter such as the history of the District could be included in a "Frequently Asked Questions" document with bullet points. She also suggested that regarding the \$4.1 million cost of the previously proposed projects that the cost be broken down per parcel. She said she did the math, and the cost would come out to \$7,500 per developed parcel and \$3,750 per undeveloped parcel. That would put the \$4.1 million in perspective for property owners.

Director Caldwell suggested putting the letter and the background "FAQ's" on different pages.

Karen R. said that if the letter is too long people may not read the entire document and not get to the part about the survey. She said that regarding question #2 whether Knightsen has a flooding and/or water quality problem she would expand the question to ask people whether they themselves have a flooding and/or water quality problem. Regarding the contact information, she suggested asking for respondents' addresses.

Chair Bello-Kunkel said we will already have addresses. She questioned whether we need to ask about their own individual problems if we have the addresses? Karen R. said question #2 is vague and we may get vague responses. If we know exactly where people have observed problems, it gives us more valuable information.

Director Caldwell said he would like to see the survey remain brief at ten questions and no more than two pages.

Director de Fremery said that the information in the letter is good, but based upon her experience in education, she knows it will not be read. She suggested turning it into an "info-graphic." Shorten the paragraphs, make it colorful, quick and easy to read. If it is "eye catching" and more legible it is more likely the letter will be read. She said that regarding question #4, people may not even know what other functions for the District could be possible. Perhaps instead of open-ended, a list of alternatives could be provided.

Director Caldwell said his concern about question #4 is we may get suggestions not pertinent to what the District can do.

Karen R. said it would be fine if the survey is less than ten questions and she would suggest eliminating question #10 as well. The issue of water quality may cause people to focus on their wells, not flood water or drainage. She asked whether finding out who has a flooding problem, or a water quality issue is the goal of the survey?

Paul K. said his thought was the goal of the survey was to find out whether people think the District should continue to exist and whether there is a flooding problem. The other goal is to find out how much people are willing to spend if they believe the District should exist and they believe there is a flooding problem.

Chair Bello-Kunkel said she looked at the survey the Fire District did, and their goal was to put a measure on the ballot and determine how much people are willing to spend for additional fire support. She said the survey will help us learn how much people know about KTCSO and how much they are willing to pay. People may voice support for the District, but then not be willing to pay enough to fund District activities. People may believe there is a flooding problem, but they may not have a realistic idea about how much it costs to address it. The survey is a "litmus" test for a ballot measure. We need to understand peoples' perceptions of KTCSO and their "price sensitivity."

Chair Bello-Kunkel said she is "on the fence" about asking people what their own flooding and/or water quality problems are without getting contact information to follow-up with them either by e-mail or phone to get more information. Karen R. said people could be asked to provide specific information as a follow-up question on the survey.

Director Caldwell suggested adding language to question #7 asking respondents to briefly explain their response regarding whether the District should continue to exist or not. If a question is added after question #2, he expressed concern about keeping the survey to ten questions. He questioned keeping question #10. Chair Bello-Kunkel said it is important to get e-mail contact information for follow-ups and to add people to the e-mail distribution list.

Director Caldwell asked whether it is implied that if the person does not provide contact information, we will not send them another survey. Chair Bello-Kunkel said they would not be contacted for follow-up, but they could be contacted if the District decided to do another "blanket" survey to everyone.

Karen R. suggested that question #10 not be a question per se, but a statement about providing contact information.

Regarding question #1, Chair Bello-Kunkel suggested the statements "very knowledgeable," "somewhat knowledgeable," "know little," etc. be bolded. She also suggested reducing the options regarding how much respondents are willing to spend. She suggested reducing it to no more than five options and eliminating the "other" option. Option #5 could be \$1,001 to \$2,000. Director Caldwell agreed. Chair Bello-Kunkel suggested that if more detailed information is needed, that could be part of a follow-up survey.

Karen R. suggested making all the options "up to" amounts, such as "up to \$200." Chair Bello-Kunkel agreed.

Paul K. asked whether question #4 is being left in the survey or removed. He said he had originally supported it, but he shares the concern that responses may be "all over the map," so he is inclined to remove it.

Director Caldwell said he is in favor of removing it. Director de Fremery said either leave it out or provide options. Chair Bello-Kunkel expressed favor to leave it out. If options are provided without considering feasibility it could be a problem. For instance, if we mentioned street lighting as an option and people express support for that, it could create an expectation the District can never meet.

Paul K. said he would redraft the letter and survey and prepare a list of FAQ's and submit that to Director Caldwell.

Director Caldwell directed the discussion to who the letter is sent to and who may respond to the survey. He asked whether the letter goes to voters, or property owners, or renters?

Karen R. suggested the letter go to both property owners and renters since renters are living here and may have more knowledge.

Paul K. said the letter should go to all voters whether they rent or own because the voters established the District and the voters would ultimately determine whether the tax is increased or whether the District is dissolved. His concern about sending the survey letter to property owners who are not also registered voters in Knightsen, is that property ownership may be in a trust, or multiple people may own the property. If there are multiple owners do each of them get to respond? What if the trust is in the name of a deceased person? Are we going to be sending the survey letter to dead people? He said there are logistical problems with sending the letter to absentee property owners.

Director Caldwell asked whether we have information about the executors of trusts. Chair Bello-Kunkel said there is no information about who executors are since trusts are private. She said it is not clear who the respondent would be if the trust is in the name of a deceased person, or if there are multiple beneficiaries associated with the trust. Chair Bello-Kunkel said she has looked at the data and there are many properties in Knightsen that are owned by trusts. She said that if we are going to use the survey data to ultimately place something on the ballot, the only people who can vote are registered voters in Knightsen. Director Caldwell said he believes that property owners should have an opinion on the survey. He suggested publicly posting the survey.

Director Somerhalder said he purchased a property from a trust that had seven people involved, but only one person was actively involved in the transaction. He said it should not be a problem. Either the letter will be ignored, or one person will take the lead in responding.

Director Caldwell suggested sending the letter out to a widespread audience and receiving whatever responses we can. Chair Bello-Kunkel said it is likely that people will receive multiple letters and we may receive multiple responses from individuals. Director Caldwell suggested asking respondents what parcel they are responding for. Director Somerhalder said that people do not know their parcel numbers off hand. Director Caldwell said most parcels are associated with an address.

Chair Bello-Kunkel suggested adding a number to each survey for tracking purposes. The number would be provided in the letter and respondents would enter the number when responding to the survey. Director Caldwell suggested using APN numbers for parcel owners and addresses for registered voters.

Chair Bello-Kunkel asked about the difficulty of merging the registered voter list with the parcel owner list. Director Caldwell said he would take a closer look at that.

Director de Fremery suggested that respondents enter their number first and that the number of digits be limited to ensure that the number is entered correctly. Chair Bello-Kunkel said the numbers will not be more than four digits given the number of voters and parcels.

Director Somerhalder said he has three parcels, two do not have addresses. The only address for all three is his PO box. He said he would get three responses since he is paying taxes on three parcels. Director Caldwell said that in Director Somerhalder's situation, three responses are valid. Chair Bello-Kunkel said that in Director Caldwell's situation he should only have one survey response. Paul K. pointed out that if this were a vote on a ballot, Director Caldwell would only have one vote, not three. Director Somerhalder said this is a survey not a ballot. Paul K. pointed out that if this survey is being done to help the District decide whether a ballot measure could succeed then allowing multiple responses could skew the numbers. Director Somerhalder said that since he would be responding based upon whether there is flooding on each individual parcel his responses for each may be different.

Karen R. said most people who receive multiple survey letters will probably only respond to the survey once. She suggested including a question asking multiple parcel owners which of their properties have flooding problems.

Paul K. suggested that we proceed with revising the letter, revising the survey and creating the list of FAQ's and leave the logistical issues like who the survey goes to and whether people get multiple responses to a future meeting. Chair Bello-Kunkel agreed but suggested Director Caldwell look at the data to determine how workable the two lists are between the registered voters and the parcel owners.

Chair Bello-Kunkel asked about the timing of doing the survey. She suggested sending the survey out after Labor Day, after summer vacations. That would mean September, or early Fall. Director Caldwell said that made sense because there is a lot to do before the survey goes out. Director Somerhalder agreed.

Chair Bello-Kunkel asked how much time respondents should be given to respond. She suggested two weeks. Director de Fremery agreed with two weeks. Karen R. asked if the survey is being distributed in paper form. Chair Bello-Kunkel said the letter is going out in paper form. Survey respondents who do not complete the survey electronically can call in and request a paper survey.

Chester H. said two weeks might be tight if the letter is sent out to property owners who are out of the area.

Chair Bello-Kunkel said paper respondents may be given additional time to return their surveys. She also suggested that respondents be given the option to submit their responses over the phone when they call in. Director Caldwell said that if too many people ask to respond over the phone, then we take down their contact information and send them paper surveys.

Chair Bello-Kunkel asked whether one survey letter would go to each household. As an example, in her case the parcel is in a trust and there are two registered voters. Director Caldwell suggested that in that case one letter be sent. Chair Bello-Kunkel suggested that in that case both registered voters be asked to respond to the survey.

Chair Bello-Kunkel asked whether the letter include a color logo or be in black and white. Director Somerhalder suggested including a color logo. Director de Fremery said that if it is in color then it is more likely to be read. Director Caldwell said doing it in color is within our budget. Chair Bello-Kunkel said if the printing is done by an outside vendor, it can be expensive. Director Somerhalder suggested buying a printer specifically for this could be less expensive than using an outside vendor.

Chair Bello-Kunkel asked whether the KTCSD envelopes with the KTCSD logo be used in which case additional envelopes would need to be ordered. Director de Fremery said another option is to print return address labels with the logo printed larger so it is very visible. That would be less expensive than envelopes, but it would still give the appearance of an official document that people are likely to open.

Chair Bello-Kunkel said Survey Monkey is not free for what the District is looking to do. There are two options: \$99 a month pay as you go; or a full year subscription at \$384. Chair Bello-Kunkel said she thinks the whole process could take two to three months and we might want to do additional surveys. Director Caldwell suggested a full year subscription. Directors de Fremery and Somerhalder agreed.

Chair Bello-Kunkel said that after the survey is revised that it be sent out to board members and some constituents for a trial run. Everyone agreed that is a good idea.

10. FUTURE AGENDA ITEMS

A. Public Hearing on final Fiscal Year 2021/2022 budget; Adopt final budget.

Chair Bello-Kunkel suggested holding the public hearing and adopting the final budget at the July meeting since notice needs to be placed in the newspaper in advance.

B. Finalize and approve Community Survey.

Director Caldwell suggested meeting again in June to approve and finalize the survey.

Director Somerhalder suggested adding an agenda item about the legality of the District regarding providing benefit to the entire community. Chair Bello-Kunkel suggested further dialogue regarding how to frame this item for discussion.

11. ADJOURNMENT

It was moved by Director Somerhalder and seconded by Director Caldwell to adjourn the May 6, 2021 meeting.

Roll call vote was taken: Motion carried by the following vote – Ayes: Directors Caldwell, de Fremery and Somerhalder, Chair Bello-Kunkel; Noes: None; Absent: Director Matteri; Abstain: None.

The meeting adjourned at 8:32pm.

A. The next regular meeting is scheduled for June 3, 2021.