



KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT (KTCS D)

REGULAR MEETING MINUTES

Thursday, November 4, 2021

The meeting was called to order at 7:00pm at the Knightesen Garden Club, 3067 Knightesen Avenue, Knightesen, CA. In accordance with the August 2, 2021, order of the County Health Officer, all attendees, including Board members and members of the public were required to wear masks during the entirety of the meeting.

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

Members Absent: None

Audience Members: 7

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE – Chair Bello-Kunkel called the roll and Director de Fremery led the pledge of allegiance.

2. APPROVAL OF AGENDA

It was moved by Director Somerhalder and seconded by Director Matteri to approve the agenda for the November 4, 2021 meeting.

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

3. PUBLIC COMMENT (3 MINUTES PER SPEAKER) – None.

4. AGENCY REPORTS – REPRESENTATIVE OF THE KNIGHTSEN TOWN ADVISORY COUNCIL (KTAC) – KTAC Council member, Karen Reyna presented the agency report. The most recent KTAC meeting was held on October 19th via Zoom. There was no Sheriff's report. Officer Thomas presented the CHP report. He reported that during his most recent day patrolling Knightesen, 80% of the citations were Knightesen residents. Battalion Chief Macumber presented the agency report for East Contra Costa Fire. There was discussion about burn permits. He spoke about the annexation with Consolidated Fire and a mapping plan update for evacuations. He also spoke about the Holland Tract hemp/greenhouse fire. The cause is still under investigation. Lea Castleberry, Office of Diane Burgis spoke about the Holland Tract hemp abatement and provided a Covid-19 update.

KTAC discussed an RV/boat storage land use application that was denied by KTAC. The plan is to have a Knightesen heritage tree dedication in the Spring. The County is still working on a new noise control ordinance. Council member Reyna is suggesting that railroad crossing safety be discussed at a future KTAC meeting. She said that members of the public may bring agenda suggestions to her attention, or to the attention of any other Council member.

Discussion: Al B. asked if the discussion about burn permits was about the cost of the permits. Council member Reyna said the question was whether you still need to get a burn permit if it is not fire season. The answer was yes.

Chair Bello-Kunkel noted that Paul K. had observed that several buildings in Knightsen will be 100 years old next year. The Farm Bureau building and the Garden Club were both built in 1922 according to signs on the buildings. Paul K. noted that KTAC Council member, Kim Carone, has been talking about community events. Celebrating the 100th anniversary of these buildings may be a good reason for a community event.

5. CONSENT CALENDAR

A. Approve minutes of September 2, 2021, regular meeting.

It was moved by Director de Fremery and seconded by Chair Bello-Kunkel to approve the minutes for the September 2, 2021 meeting.

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

6. CORRESPONDENCE

- A. 9/1/21: Email from Charles Gardiner, Catalyst Group with attachments for 9/1 Byron Highway/Delta Rd subgroup meeting.
- B. 9/2/21: Email from Abigail Fateman, ECCHC re: update on availability of interim report on wells.
- C. 10/4-10/15/21: Various emails to/from Pauline Sanguinetti, CSV re: FY 2020-2021 audit materials and questions.
- D. 10/5-10/19/21: Various emails to/from Zoom seeking refund for one month of unused subscription.
- E. 10/7-10/19: Emails to/from Sherrie Weis, CC LAFCO for updates to LAFCO directory.
- F. 10/18, 10/25: Emails to/from Mayra Hernandez, Walter Mortensen Insurance re: annual policy renewal.
- G. 10/8, 10/15/21: Emails to/from Peter Karumbi, CC Auditors Controller's Office re: funds balance report needed by auditor.
- H. 10/18/21: Email from Charles Gardiner, Catalyst Group re: availability of Interim Progress Reporting on Groundwater Investigation at the proposed Knightsen Wetlands Restoration Site.

7. TREASURER'S REPORT – Treasurer Matteri presented the Treasurer's report.

- A. Bills Paid: US Postal Service \$58 stamps for survey mailer; Alpha Graphics 1,175.85 remaining payment for survey mailer; Calif Special District Assn for annual membership dues \$200.
- B. Checking account balance after above bills paid: \$244,897.29.

Discussion: Director Somerhalder asked if the district gets any benefit out of the California Special District Association (CSDA) membership. Chair Bello-Kunkel responded yes. Training is offered, but the key benefit is the free legal guidance and information sharing with other CSDA members. For instance, the template for the resolution on the agenda was provided by CSDA legal counsel free of charge to all members. Without that, the district would have had to pay our attorney to assist in the preparation and review of the resolution.

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

- A. Proposed Knightsen Wetlands Project outreach meeting on 11/9/21 and onsite visit on 12/4/21.

Chair Bello-Kunkel discussed how the outreach meeting and onsite visit were publicized and how the presenters incorporated KTCSO's suggestions into their plan to advertise them. They asked that KTCSO distribute the information to people on the KTCSO e-mail list. Chair Bello-Kunkel said that is being done, but it will be made clear what KTCSO's position is on the proposed wetlands. Chair Bello-Kunkel said she going to suggest that they include an 800-telephone number for people who do not have free long-distance calling.

Discussion: Robin P. asked about the language that will be included in the e-mail from KTCSO. Chair Bello-Kunkel said she will look at the resolution that KTCSO adopted and use language consistent with that resolution. Robin P. asked if they are aware that KTCSO opposes the proposed wetlands. Chair Bello-Kunkel said they are aware of that.

B. Housekeeping items: 2020-2021 Fiscal Year Audit Update & Zoom Refund. Chair Bello-Kunkel reported that the draft of the financial statements will be provided next week. Since KTCSO is resuming in-person meetings, she requested and received a refund on Zoom payments.

C. Other. None.

9. ITEMS FOR ACTION AND/OR DISCUSSION

A. Review and discuss survey results. Discuss next steps. (AGENDA PACKET). Chair Bello-Kunkel presented a Powerpoint presentation on the survey results. **That presentation is included in the agenda packet and incorporated into the minutes.**

Discussion: Slide #3. Chair Bello-Kunkel noted that for comparison purposes Knightsen School District recently conducted a survey of parents and they only had a 2% response rate (11 respondents), so KTCSO's 8.4% response rate compared very favorably. Director de Fremery, who is a schoolteacher, said the 8.4% response rate was "not bad" based upon her experience as well.

Slide #4. Regarding knowledge about KTCSO, Karen R. pointed out that because the survey included an information sheet about the district, perhaps more people are more knowledgeable about the district now than before the survey was distributed. Sending the information out and educating people about the district is another positive aspect of the survey. Chair Bello-Kunkel said there were also 14 people who entered their survey ID but did not complete the survey. Karen R. said the survey was executed extremely well and Chair Bello-Kunkel said it was a team effort and she thanked Director de Fremery for creating the infographics.

Slide #5. Chair Bello-Kunkel noted that the question regarding flooding and water quality did not define what "water quality" means. She said this is because "water quality" was never defined in Measure Z that established the district, so that was purposely left open to self-interpretation.

Slides #6-#10. Robin P. noted that whether people thought there is a flooding problem depended upon where they live.

Slide #11. Chair Bello-Kunkel noted that the district has been administered on "bare bones," usually between \$22,000 and \$32,000 per year. The district has done no projects, there is no administration (except for the uncompensated board and a volunteer meeting note taker). Hiring a qualified General Manager would cost a lot of money. Chair Bello-Kunkel said she has communicated with other CSDA members, and a General Manager would likely cost the district \$160,000/year. She said she understands the Irrigation District Assistant General Manager earns \$128,000/year, not including benefits. Her observation of the survey response is that people are unwilling to spend the money that would be needed to operate a fully functioning district.

Director Caldwell noted that 93% are unwilling to spend more than what the maximum tax rate is now, so the district would be unable to raise the funds to do even the smallest of projects. Chair Bello-Kunkel noted that the current maximum rate would not even cover the cost of administration. Director Caldwell said this is the most important slide. He noted that if even if just over 50% said they were unwilling to pay more it would be a problem. Paul K. noted that if the district was implementing projects and hired a General Manager and staff, even the \$500 per parcel would be insufficient.

Slide #12. Director Caldwell noted that many people want the district to continue to exist, but they are unwilling to fund the district. Paul K. said he believes many people may feel this way because they see the district continue to function on a "shoestring" and they believe the board is representing and providing a voice for Knightsen, but the district cannot continue to function this way forever. Director de Fremery said a lot of this may stem from people wanting the district to act as the "wetlands watchdog," not for the purpose the district was created for. Chair Bello-Kunkel said the wetlands may be part of it, but also many people want

local control, not County control and people continue to believe that having KTCSO protects our boundaries. Director Matteri said we have discussed that issue repeatedly and explained that the district does not protect Knightsen's boundaries. Director de Fremery said that people only know that if they have been attending KTCSO meetings. Karen R. said there is no excuse for people not to attend the meetings. It's once a month and doing the meetings by Zoom has been convenient. Director Matteri said there are always going to be people who form their opinions and do not participate and do not attend meetings. She said the district is going about it the right way by trying to find out what people want the district to do.

Robin P. said people are worried about the County taking over. She said the KTCSO board has peoples' interests more "at heart." They are worried about the County taking over the property tax. Chair Bello-Kunkel noted that some of the comments noted on slides #13-#19 reflect that.

Slides #13-#19. Chair Bello-Kunkel said some comments reveal that people continue to get KTAC and KTCSO confused. Director Matteri noted that KTAC was set up to represent Knightsen and be a voice to the County Supervisor. Robin P. said that KTAC cannot take over the parcel tax and does not have tax authority. It was commented that KTAC has no power. If people want things done, they have to go directly to the Supervisor. Director Somerhalder and Chair Bello-Kunkel said confusion also existed because previously membership on both boards was the same. When it became clear that there was going to be an actual election of KTCSO board members, a resolution was promptly placed on the Board of Supervisors' agenda to separate KTAC and KTCSO.

It was noted that with KTAC members appointed by the Board of Supervisors they don't represent Knightsen.

Chester H. noted that when the prior KTCSO board was asked why they had done something, they responded, we did it because we could. With KTCSO he has someone he can vote for if he doesn't think the person on the board is doing the right job. Everyone on KTAC is appointed.

Robin P. said that KTCSO has done a lot for the community researching issues and representing the community regarding the proposed wetlands. Karen R. said people would know this if they attended the meetings, but instead they formulate their opinions based upon hearsay.

Slides #21-#23. Karen R. noted that the "unsure" people seem to be "middle of the road" on their responses and asked how they are categorized and what guidance their responses provide regarding decision making. Paul K. asked how people who didn't respond to the survey factor in. He said if they are so apathetic that they won't respond to the survey, he cannot imagine they would be willing to spend a lot more money. Karen R. said she has heard that elected officials consider one phone call, or one letter as the equivalent of hearing from 1,000 constituents.

Conclusions and Next Steps. Director Caldwell noted that 57% of respondents do not want the district to exist, and 36% want the district to exist, but are unwilling to spend any money. He questioned whether it is ethical to tax people when the majority say they don't want to pay the tax.

Director Somerhalder said we cannot continue the way we are. Funds will dwindle to zero. Chair Bello-Kunkel noted that many people only show up to meetings when the board is discussing the tax. Director Caldwell noted the district could continue to exist for many years without charging a tax.

Paul K. noted that it takes a great deal of time for a volunteer chairperson to manage the district. That is not an ongoing solution. If the district continues to exist, the district will need to hire a qualified manager and that will mean raising the tax.

Director de Fremery questioned whether the district can continue to exist without doing any projects. Robin P. asked whether another ballot measure could be developed to give the district a broader mandate to do smaller projects.

Director Matteri suggested re-writing the ballot measure so that the district can use the existing funds on deposit. David M. suggested changing Measure Z so that the available funds can be spent by the district on other things.

Robin P. suggested revising the mandate so that the funds can be used for beautification and update of historic buildings. Paul K. said changing the district's mandate would require going through the LAFCO process again, having another ballot measure and a qualified manager would need to be hired.

Robin P. said people will pay the parcel tax if they can see visible changes. Director Matteri said people don't mind paying the tax if they can see where the money is going. She noted there aren't many people who would put in the time and effort in that the chairperson has.

Chair Bello-Kunkel asked if the district is going to look at doing another ballot measure - do we do more surveys, do we hire a consultant to help us further assess public opinion?

Lois C. said one of the survey questions asked people if they are willing to step up, what was the answer? Chair Bello-Kunkel said there were only six yes responses to whether they were willing to serve on the district board. One of these people is already on the board. One of the yes respondents is a property owner but doesn't reside in Knightsen. More people responded "maybe" to serving on the board. Chair Bello-Kunkel said she had hoped that more of these respondents would have attended that night's meeting. Chair Bello-Kunkel said doing another ballot measure and changing the district's charter is a long process.

Chair Bello-Kunkel said she had been in contact with someone from Groveland Community Services District. They have a CSD with multiple responsibilities. Chair Bello-Kunkel suggested that everyone think about this and that we continue the discussion at the next meeting. Chair Bello-Kunkel said another ballot measure option could be to terminate the district and the tax.

Karen R. asked whether there are simple solutions for some of the drainage issues people noted in their comments that KTCSO could address. Lois C. noted that prior members of the board had said that KTCSO could install culverts and other things at lower cost than Public Works because they would not need to follow all the rules, but then we understood the district would need to follow the rules and would need bioswales and culverts to move the water to the wetlands. They were going to get grants, but grants don't pay for everything. You still need to pay for a manager that the current tax will not cover.

Chair Bello-Kunkel said there are County e-mails in the district files that KTCSO would still be required to follow approved engineering practices and obtain permits from the County to do projects.

Director Caldwell said he will not be available to attend a December meeting.

B. Discuss whether future meetings continue to be held in public, or whether the District reverts to meeting by teleconference (Zoom). Adopt Resolution 2021-2 if needed. (AGENDA PACKET). Since KTCSO met successfully in-person, consideration of this item was unnecessary.

10. FUTURE AGENDA ITEMS

A. Election of officers for 2022: Chair, Vice-Chair and Treasurer. Chair Bello-Kunkel said this will take place at the first meeting in 2022.

11. ADJOURNMENT

A. The next regular meeting: TBD.

It was moved by Director Matteri and seconded by Director Caldwell to adjourn the November 4, 2021 meeting.

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

The meeting adjourned at 8:27pm.