



KNIGHTSE N TOWN COMMUNITY SERVICES DISTRICT (KTCS D)

REGULAR MEETING MINUTES

Thursday, September 2, 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 7:05pm.

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

Members Absent: None

Audience Members: 10

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE – Chair Bello-Kunkel explained procedures, 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 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.

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 presented the agency report. She noted that her report is based on her personal notes of the meeting, not the official record. The last KTAC meeting was held on August 17, 2021 via Zoom teleconference. Since Chair Steudle was absent, Vice Chair Reyna administered the meeting. The Sheriff's report was presented by Lt. Johnson. There was discussion about loud and noisy parties. It was clarified that if you call in about an incident an exact address is not necessary, a description of the general location is sufficient. The CHP report was made by Officer Thomas. The Fire District report was made by Chief Macumber.

Office of Supervisor Burgis representative, Lea Castleberry provided an update on County vaccination status and said there are no plans for a vaccination mandate or vaccine passport. She discussed the possibility of holding a hybrid in-person/virtual KTAC meeting in October. Regarding the baseball field, the Planning department deemed the application incomplete, and it has not been approved yet. The Knightesen clean-up day will be on Saturday, September 11th, 8am to Noon. Regarding the eucalyptus trees on Knightesen avenue that are on railroad property, it will cost the same amount to maintain the trees as it would to remove the trees. The railroad is recommending the trees be removed. Regarding the noise control ordinance, Lea is working with the Sheriff's Department, Code Enforcement and Conservation and Development to see how that can be incorporated with the permit process and they are trying to get that done quickly and correctly.

Lea provided an update on the heritage tree. The arborist recommends that due to cavities in the tree it presents a danger to the public and recommended it should be removed and the stump ground. There was considerable discussion at the KTAC meeting about this item. A motion was approved to have Council member Carone and Lea Castleberry work with Public Works and the arborist on a plan to use the remnants of the tree and the stump.

Council member Carone discussed community events waiting for in-person meetings to commence to start a farm-to-fork project.

Council member Carone discussed the process for reporting code enforcement issues. Contact the Sheriff's Department, make an on-line report to Code Enforcement and she recommended following up the following day.

The Board of Supervisors is working on a noise control ordinance, reviewing ordinances from surrounding cities and working with the Sheriff's Department, Conservation and Development and community members.

There will be an upcoming presentation about the proposed bar downtown and upcoming presentations about school events. The next KTAC meeting is scheduled for September 21st at 7:30pm.

Discussion: Gilbert S. pointed out that there had also been public comment presented at the KTAC meeting about the inundation of flies in Knightsen.

5. CONSENT CALENDAR

A. Approve minutes of July 1, 2021, regular meeting.

It was moved by Director Somerhalder and seconded by Director Matteri to approve the minutes for the July 1, 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 – Chair Bello-Kunkel reviewed the correspondence.

- A. 6/29, 6/30, 7/1, 7/13, 7/14, 7/15, 8/20, 8/23, 8/24, 8/25, 8/26, 8/27/21: E-mails to/from Alphagraphics re: survey and survey quote;
- B. 7/6, 7/9, 7/10, 7/11, 7/12, 8/16/21: E-mails to/from Francisco Associates re: property owner file for survey distribution;
- C. 7/7, 8/11, 8/13, 8/14, 8/16, 8/19/21: E-mails to/from Elections Division re: voter file for survey distribution;
- D. 7/16/21: E-mails to/from A. Vargas re: building permit process for Knightsen;
- E. 7/22/21: E-mail and letter from S. Dutt forwarded to KTAC;
- F. 8/13/21: E-mails to/from Elections Division re: KTCSO boundary map for redistricting purposes. Chair Bello-Kunkel reported this is a formality because of the census, but the boundary of the district has not changed.
- G. 8/16/21: E-mails to/from Assessor's Office re: property owner questions related to the survey;
- H. 8/18/21: Letter from Steen re: wetlands sub-group meeting on 8/26/21 (REFER TO ITEM 9B - AGENDA PACKET);
- I. 8/24/21: Letter and attachments to Abigail Fateman, East Contra Costa County Habitat Conservancy re: wetlands sub-group meetings on 8/26 and 9/1 (REFER TO ITEM 9B - AGENDA PACKET);
- J. 8/24, 8/25/21: E-mails to/from Abigail Fateman, Maureen Parks and Joanne Chiu, East Contra Costa County Habitat Conservancy re: wetlands sub-group meetings on 8/26 and 9/1;
- K. 8/25/21: E-mails to/from Campbell Ingram, Delta Conservancy, with attached 8/24 letter to Abigail Fateman (REFER TO ITEM 9B - AGENDA PACKET);
- L. 8/25/21: E-mail from Charles Gardner, Catalyst Group with attachments for 8/26 wetlands sub-group meeting (REFER TO ITEM 9B - AGENDA PACKET);
- M. 8/27/21: E-mail from Mark Lindley, ESA, regarding 8/26 wetlands sub-group meeting (REFER TO ITEM 9B - AGENDA PACKET);

- N. 8/27/21: E-mail from Sandra Maxfield, re: follow-up to 8/26 wetlands sub-group meeting (REFER TO ITEM 9B - AGENDA PACKET);
- O. 8/28/21: Email to Wetlands Project Team and 8/26 wetland sub-group meeting attendees re: Napa Register news article, "Napa County loses lawsuit over Carneros area flood gates". REFER TO ITEM 9B - AGENDA PACKET).
7. TREASURER'S REPORT – Treasurer Matteri presented the Treasurer's report.
- A. Bills Paid: Streamline \$120 for annual district website hosting fee; Contra Costa County Auditor-Controller \$23.72 for LAFCO Net Cost Apportionment for fiscal 2021-2022; Croce, Sanguinetti & Vander Veen \$205 for Preparation of Local Government Compensation Report for calendar year 2020; Reimbursements to Chair Bello-Kunkel for the following: Zoom teleconference monthly subscriptions 7/29/21-8/28/21 & 8/29/21-9/28/21 \$114.99 each; Reimbursement to Chair Bello-Kunkel for Survey Monkey \$384 annual fee; and Alpha Graphics \$600 for deposit of survey mailer production.
- B. Checking account balance after above bills paid: \$246,331.14
8. CHAIRPERSON'S REPORT – Chair Bello-Kunkel presented the Chairperson's report.
- A. Lifting of Governor's Executive Order re: teleconference meetings due to Covid-19. Chair Bello-Kunkel reported that the current order is in effect through September 30, 2021. Unless the order gets extended, the district will resume in-person meetings after that date. Chair Bello-Kunkel said she is monitoring this situation day-to-day, but she anticipates there will not be any clarifications until after the governor recall election.
9. ITEMS FOR ACTION AND/OR DISCUSSION
- A. Survey update. Advertising the survey. Chair Bello-Kunkel reported the survey letter will be sent out on Friday, September 3rd and should begin arriving in mailboxes after the Labor Day holiday. 1,230 survey letters are being sent out and the deadline for completing the survey is September 30, 2021.
- One letter is being sent to each person registered to vote in Knightsen and one to each property owner if they are not registered to vote in Knightsen. Each recipient will be provided a unique survey identification code to include with the survey. Surveys can be completed on-line, or people can call to receive a paper survey by mail. Online surveys may be completed by accessing the KTCSD website or if using a smart phone by QR code. Efforts were made to ensure each eligible survey participant receives one survey letter, but there may be situations where recipients receive letters addressed to both the individual by name and to "property owner," this could happen when the voter is not the property owner, but the property owner uses the address to receive their property tax information. Each letter contains one unique survey identification number. Chair Bello-Kunkel said it has been a complicated manual process to attempt to reach each eligible survey participant without sending multiple letters.
- Alphagraphics in Walnut Creek is being used to distribute the survey letters. The district saves money this way by being able to use first class, pre-sort mail rates. We will be under our \$3,000 budget for distribution of the survey letter even after sending paper surveys to people who request them. Chair Bello-Kunkel thanked board members and community members for their input in creating the survey and the survey letter.
- Discussion: Karen R. offered thanks to Chair Bello-Kunkel and the KTCSD team for putting the survey together. She asked who will be sifting through the information received from the survey. Chair Bello-Kunkel said she will manually enter paper survey responses to either Excel or Survey Monkey. Survey Monkey compiles the data that is submitted electronically, and she will add the paper survey data to that. Chair Bello-Kunkel said the results should be ready by the November meeting.
- B. Follow-up regarding Knightsen Wetlands sub-group meetings held on 8/26/21 and 9/1/21 (AGENDA PACKET DOCUMENTS). Chair Bello-Kunkel said that the Knightsen Wetlands project team hired a consultant, Catalyst Group. The head of Catalyst Group, Charles Gardiner, contacted her about the sub-group meetings.

Chair Bello-Kunkel explained to Mr. Gardiner that the community needs responses to the 16 questions submitted to the East Contra Costa Habitat Conservancy. She explained that the 16 questions are a streamlined version of the 45-50 questions raised by community members. She explained that past outreach meetings have been poorly advertised. Posting meetings at the Knightsen Post Office is insufficient since not everyone receives their mail at the Post Office.

Catalyst Group notified two sub-groups of Knightsen residents about meetings; residents on Eagle Lane and residents around the intersection of Delta Road and Byron Highway. Meetings were held on 8/26 (Eagle Lane) and 9/1 (Delta Road/Byron Highway). One constituent pointed out that the Wetlands Project team was not complying with their prior commitment to hold open meetings with the entire Knightsen community. After contacting one of the funding sources, Delta Conservancy, both Knightsen resident hydrologist, Sandra Maxfield and KTCSO Chair Bello-Kunkel were allowed to participate in the sub-group meetings.

Chair Bello-Kunkel noted that now the project design is proposing to bring in the maximum amount of water from the Delta and it was stated that decision was made because that is what the project funder, Delta Conservancy, wants. Chair Bello-Kunkel said participation at the Eagle Lane meeting was only 3 residents, less than 10%. The Delta Road/Byron Highway meeting had about 50% attendance.

East Contra Costa Habitat Conservancy says they are still committed to the six public outreach meetings they committed to in writing. The first of these meetings will take place in the Fall, approximately October 2021. They should be held to that commitment. They said the pandemic could alter that meeting schedule. They stated that we will receive responses to the 16 questions submitted to them almost two years ago.

Discussion: Director Caldwell asked whether they addressed impact on septic systems and wells during the sub-group meetings. Chair Bello-Kunkel said they focused on wells. She said that many properties especially at Delta Road/Byron Highway have very shallow wells. Chair Bello-Kunkel said she has asked Abigail Fateman to provide the information they have about wells in the area. She understands Balance Hydrologics is doing additional research on the wells, but there was no specific discussion about septic systems although they understand that is a concern. Chair Bello-Kunkel said she has concerns about residents having to re-drill existing wells (approx. 40 feet) to 150-300 foot depth which could cost approximately \$50,000 each and she also has concerns about residents having to convert traditional septic systems to engineered septic systems at a cost of about \$50,000 each.

Director Caldwell asked that the questions about wells and septic continue to be asked and that the issue of liability if wells and/or septic are impacted be addressed. Chair Bello-Kunkel said that residents in these areas are also concerned about this.

Karen R. expressed disappointment that only three Eagle Lane residents attended their sub-group meeting. Director de Fremery pointed out that Knightsen residents are more prone to attend in-person meetings. Chair Bello-Kunkel stated another challenge was that residents had to RSVP and provide their names and addresses in advance to get a code to attend the meeting, just calling in was not an option. She has heard from one person who had a concern about having to provide that information.

Director de Fremery said that the entire community has a concern about the proposed wetlands, and everyone should have been invited, not just portions of the community. Chair Bello-Kunkel said she agrees because that was the commitment Abigail Fateman made to the community. She said she does not anticipate there will be any more sub-group meetings.

Charles Gardiner, Catalyst Group, spoke saying Chair Bello-Kunkel did a good job summarizing some of the key issues. He said the team is doing quite a bit of analysis of the groundwater conditions, the conditions on the site, the movement of water in and around the site with the specific purpose of identifying if there could be any potential effects on water quality, groundwater levels, septic systems, drinking water supplies, etc. That study is underway, and more information will be available at the community meeting in the Fall. The purpose of the neighbor meetings was to share with them the initial information about the groundwater, but particularly to hear from neighbors around the site to determine if what team members are learning comports with and is consistent with peoples experiences immediately around the site. They are planning to come back to do more meetings with more information to address concerns from KTCSO and other concerns that have come to their attention.

10. FUTURE AGENDA ITEMS

A. Discuss Survey results – November meeting.

Chair Bello-Kunkel proposed that there also be a follow-up discussion regarding the upcoming wetlands community outreach meeting.

11. ADJOURNMENT

A. The next regular meeting: TBD. Chair Bello-Kunkel suggested skipping the October meeting to focus on the analysis of the survey results and presenting and discussing the survey results at the November meeting. A meeting could be held in October if there are any pressing issues to discuss.

It was moved by Director Caldwell and seconded by Director de Fremery to adjourn 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.

The meeting adjourned at 7:53pm.