



**KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT
RESOLUTION 2020 – 2
BEFORE THE BOARD OF DIRECTORS OF THE
KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT**

A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT REQUESTING THE CONTRA COSTA COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO DISSOLVE THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT.

RESOLVED, by the Board of Directors of the Knightsen Town Community Services District (KTCSO), that

WHEREAS, the Board of Directors of KTCSO desire to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for dissolution of KTCSO; and

WHEREAS, the proposed change of organization includes the following jurisdictional change:

Dissolution of KTCSO; and

WHEREAS, a map of the current KTCSO territory is attached hereto as Attachment A and by this reference is incorporated herein; and

WHEREAS, terms and conditions for the proposed dissolution of KTCSO are set forth as Attachment B and by this reference is incorporated herein; and

WHEREAS, the Board of Directors of KTCSO have determined that in 2005 a significant number of Knightsen residents voted to establish KTCSO to serve as a barrier to development of Knightsen by the neighboring cities of Oakley and Brentwood; and

WHEREAS, KTCSO has no land use authority and no ability to effectively prevent neighboring cities from seeking to annex and to develop properties within the boundaries of Knightsen; and

WHEREAS, in 2005 LAFCO authorized a ballot measure to form KTCSO; and

WHEREAS, the Board of Directors of KTCSO have determined that a 2002 Knightsen Water Quality Wetland Feasibility Assessment Report, which was submitted to LAFCO as a basis for the need to form KTCSO, misrepresented how water flows in Knightsen and as such should not have been a consideration with regard to the original formation of KTCSO; and

WHEREAS, the Board of Directors of KTCSO have determined that the majority of Knightsen residents do not have significant drainage or flood control problems and will not benefit from the implementation of enhanced drainage and flood control projects; and

WHEREAS, KTCSO revenue is derived solely from a parcel tax assessment on approximately 600 parcel owners; and

WHEREAS, KTCSO does not receive any of the 1% ad-valorem property tax revenue; and

WHEREAS, the Board of Directors of KTCSD have determined that KTCSD 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; and

WHEREAS, during the course of its existence, KTCSD has not initiated, nor completed any projects and has no intent to initiate or complete any projects, and has no physical assets, no employees and no liabilities; and

WHEREAS, the Board of Directors of KTCSD have determined that the proposed change of organization is consistent with the sphere of influence of KTCSD; and

WHEREAS, the Board of Directors of KTCSD has, by unanimous resolution, consented to the waiver of conducting authority proceedings.

NOW THEREFORE BE IT RESOLVED, this Resolution of Application is hereby approved and adopted by the Board of Directors of KTCSD and the Contra Costa County Local Agency Formation Commission is hereby requested to dissolve KTCSD, including the territory as described in Attachment A according to the terms and conditions contained in Attachment B and in the manner provided by the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000.

ON MOTION of Director Caldwell, second by Director Somerhalder, the foregoing resolution was unanimously passed and adopted this 7th day of May 2020.

AYES: Director Caldwell, Director deFremery, Director Matteri, Director Somerhalder, Chair Bello-Kunkel.


NOES: None.

ABSENT: None.

ABSTAIN: None.

Attested:

I HEREBY CERTIFY that the foregoing Resolution No. 2020-2 was duly and regularly adopted at a regular meeting of the Board of Directors of the Knightsen Town Community Services District on May 7, 2020.



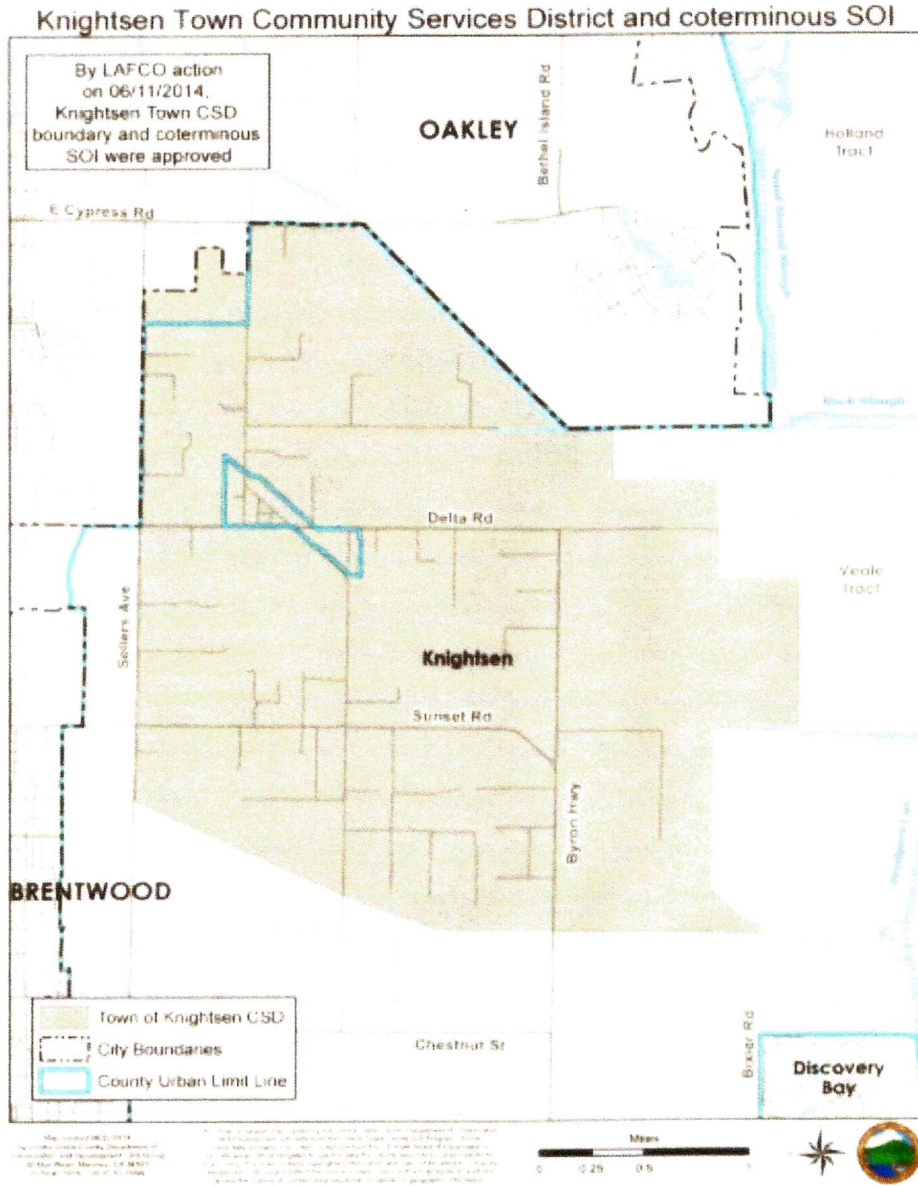
Gilbert Somerhalder, Vice Chair
Knightsen Town Community Services District



Trish Bello-Kunkel, Chairperson
Knightsen Town Community Services District

ATTACHMENT A

MAP OF THE BOUNDARIES OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT



ATTACHMENT B

TERMS AND CONDITIONS

DISSOLUTION OF THE KNIGHTSEN TOWN COMMUNITY SERVICES DISTRICT

- 1. TAX REVENUES.** Upon the effective date of dissolution of the Knightsen Town Community Services District (KTCSD) the legal existence of the District shall terminate. Any authorization to tax the residents of Knightsen in accordance with Measure Z as adopted in 2005 shall terminate. All parcel taxes collected by the KTCSD since inception of the District which remain on account with the District shall be rebated to property owners in the District (minus any reasonable administrative costs to administer such a rebate).

If it is determined that such a tax rebate is not feasible, or that the administrative fees associated with such a rebate are determined by the KTCSD Board of Directors to be excessive, then all parcel taxes collected by KTCSD since inception of the District which remain on account with the District shall be remitted to Contra Costa County and be used for the sole benefit of residents within the boundaries of the KTCSD as defined in Attachment A.

If funds which remain on account with the District as of the date of dissolution are not rebated, then a Citizens Advisory Committee consisting of no less than three people (either current members of the KTCSD Board of Directors, or individuals appointed by the KTCSD Board of Directors), shall be convened to advise the County regarding the expenditure of funds which remain on account with the District as of the effective date of dissolution. The Citizen's Advisory Committee shall cease operation once all such funds have been disbursed.