



Lou Ann Teixeira
Executive Officer

MEMBERS

- Candace Andersen**
County Member
- Donald A. Blubaugh**
Public Member
- Federal Glover**
County Member
- Michael R. McGill**
Special District Member
- Rob Schroder**
City Member
- Igor Skaredoff**
Special District Member
- Don Tatzin**
City Member

ALTERNATE MEMBERS

- Diane Burgis**
County Member
- Tom Butt**
City Member
- Stanley Caldwell**
Special District Member
- VACANT**
Public Member

February 14, 2018 (Agenda)

February 14, 2018
Agenda Item 6

Contra Costa Local Agency Formation Commission (LAFCO)
651 Pine Street, Sixth Floor
Martinez, CA 94553

Update – Knightsen Town Community Services District

Dear Members of the Commission:

BACKGROUND: In 2014, Contra Costa LAFCO approved its 2nd round Water/Wastewater Municipal Service Review (MSR) which covered eight cities and 21 special districts. In conjunction with the MSR, the Commission updated the spheres of influence (SOIs) for all of the districts. The Knightsen Town Community Services (KTCSO) was one of the districts covered in the MSR.

KTCSO was formed in 2005 to provide flood control and water quality (drainage services) for the unincorporated community of Knightsen, which is an area of low elevation that receives runoff flow from nearby areas. The area is largely agricultural, with an estimated population of 1,600 residents. The area is in need of detention basins and facilities to treat storm water runoff. The 2008 MSR identified concerns with the District and lack of services/programs. KTCSO did not provide any physical services related to its original purpose due to a lack of funds to construct facilities; and the district owned no physical assets or improvements at that time.

During the 2nd round MSR hearings in 2014, LAFCO received updates from Linda Weekes, then Chair of the KTCSO, and Mitch Avalon, from Contra Costa County Flood Control (CCCFC). Both individuals spoke of the work being done by KTCSO to address flooding in the Knightsen area. In addition, the District provided updates on its planning and funding efforts, including two grant proposals to the Department of Water Resources, and a land acquisition proposal.

In conjunction with the 2014 MSR, LAFCO adopted a resolution affirming the existing SOI for the KTCSO. Included in LAFCO resolution is a provision requiring the District *to provide LAFCO with annual updates until the next MSR cycle. The updates should include a progress report addressing services, facilities, funding, administrative and governance issues identified in the 2014 MSR report.*

DISCUSSION: At the February 2017 LAFCO meeting, Steve Ohmstede, Chair of KTCSO and Mitch Avalon from CCCFC presented an update to LAFCO covering the following activities and projects:

- ❖ Current KTCSO board and staff
- ❖ Form 700 compliance
- ❖ Adopted budgets
- ❖ Adopted major project list
- ❖ Completed financial reports (year-end report, financial audits, financial statements, etc.)
- ❖ Major flood control project
 - Parties involved (i.e., KTCSO, CCCFC, East Bay Regional Parks District, East Contra Costa County Habitat Conservancy).
 - 680 acre land purchase
 - MOU
 - Coordination with County Public Works
- ❖ New Hydrology study with ESA/Environmental Hydrology
- ❖ Activities Timetable

Since the 2017 LAFCO update, the District has completed a number of other projects, including the following:

- Initiated hydrology and culvert capacity calculations reports
- Created a website
- Project implementation (i.e., Curlew Connex infiltration basin, Knightsen Ave bioswale, Eden Plains Road wetland basin, Railroad bioswale & infiltration trench, Eagle Lane bioswale, Byron Hwy & Ironhorse Road infiltration basin & bioswale, Byron Hwy/Delta Road drainage & bioswale)

The District provided LAFCO with various reports and documents regarding these activities. These documents and links to the reports are available through the KTCSO and LAFCO office.

Also, in 2017, the District Board voted to increase its special tax from \$50 per year to \$200 per year for developed parcels, and from \$25 per year to \$133.76 per year for undeveloped parcels. The purpose of the tax increase is to fund projects to address flooding and stormwater runoff issues. A number of Knightsen residents have expressed concern with the tax increase and lack of notice to the local taxpayers, along with concerns regarding the District's activities and financial commitments as summarized in their letters (see attached) which were signed by approximately 50 residents.

On February 14, 2018, the District will provide an annual update. Also, we anticipate that members of the Knightsen community will attend the LAFCO meeting and provide public comment.

RECOMMENDATIONS: Receive the KTCSO update and public comments; and provide comments and direction.

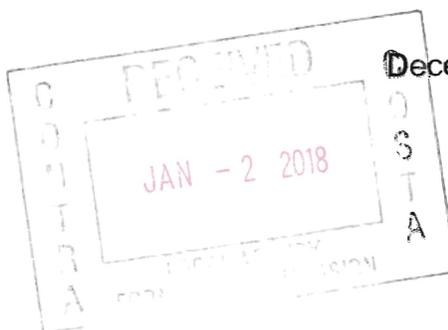
Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Letters from Knightsen Residents

c: Steve Ohmstede, Chair, KTCSO
Mitch Avalon, CCCFC
Distribution

P.O. Box 62
Knightsen, Ca
December 28, 2017



Contra Costa County LAFCO
651 Pine Street, 6th Floor
Martinez, CA 94553

Honorable Members of the Commission:

We are writing you regarding constituent concerns that are detailed in the enclosed letter sent to the board of the Knightsen Town Community Services District (KTCS D), dated November 15, 2017. This letter documents the key concerns and desired responses a large number of Knightsen community members have about KTCS D's decision to increase their property tax assessment from \$50 per year to \$200 per year for developed parcels, and from \$25 per year to \$133.76 per year for undeveloped parcels. Also enclosed is the cover letter dated November 22, 2017.

The enclosed letters were sent by certified mail on November 22, 2017 and we received proof that the letters were received by KTCS D President, Steve Ohmstede on December 4, 2017. The KTCS D board held their monthly meeting on December 7, 2017, and the KTCS D board made no mention that the correspondence was received. To date no response has been received from the KTCS D board.

We understand that LAFCO provides oversight to KTCS D. Therefore, we are forwarding these letters to you so you are aware of the community's concerns and desired responses.

Sincerely,

Tricia Bello-Kunkel & Paul Kunkel

Mailing Address: PO Box 62, Knightsen CA, 94548

Residence Address: 2351 Tule Lane, Knightsen CA

Enclosures – Letter to KTCS D Board dated 11/15/2017 and cover letter dated 11/22/2017.

Mailed via
Certified mail
return receipt

November 22, 2017

Knightsen Town Community Services District Board
Steve Ohmstede, Chairperson
Al Simas, Vice Chair
Kim Carone, Board Member
Greg Williams, Board Member
Lori Abreu, Board Member
P.O. Box 763
Knightsen, CA 94548

Dear Board Members:

Enclosed is a letter to the KTCSD Board dated November 15, 2017, signed by a large number of community members. Many community members are continuing to circulate this letter throughout the community and we will submit additional signatures at a later date(s). This letter, along with this first round of signatures, is being submitted now, well in advance of your December 7, 2017 meeting, so that the Board will have ample time to consider the concerns as well as the desired responses of letter signers.

Sincerely,

Concerned Community Members of Knightsen

Enclosure – Letter to KTCSD Board, 11/15/2017

November 15, 2017

Knightsen Town Community Services District Board
Steve Ohmstede, Chairperson
Al Simas, Vice Chair
Kim Carone, Board Member
Greg Williams, Board Member
Lori Abreu, Board Member
P.O. Box 763
Knightsen, Ca 94548

Dear Board Members:

As your fellow Knightsen community members and as your constituents, we the undersigned have concerns about the Knightsen Town Community Services District's (KTCSD) decision to raise the KTCSD property tax assessment. The following describes many of our key concerns and responses we would like KTCSD to consider:

1. We are disappointed that KTCSD increased the property tax assessment at their meeting on June 1, 2017, without providing community members with sufficient notice of this action. We understand that Measure Z, passed in 2005, authorized KTCSD to increase the tax, but we believe that 12 years later, **KTCSD should have given advance notification to community members and invited public comment before raising the tax.** To date, in a public meeting, only one board member, Kim Carone, has acknowledged that the board could have done a better job communicating to the public. The Brentwood/Oakley Press article dated November 10, 2017, states that KTCSD Chairperson Steve Ohmstede, "admitted the district could have done a better public outreach campaign." None of the other board members who voted for the tax increase have made such a statement.

Desired KTCSD response: Public acknowledgement from ALL board members that there should have been better communication and that a public hearing should have been held prior to increasing the tax. Also, a statement by all board members that prior to implementing any tax increases, community members will be given CLEAR notification and offered the opportunity for public comment.

2. During the meeting on November 2, 2017, KTCSD board members admitted they do not know how much revenue will need to be raised for the projects being planned, yet three members voted to increase the tax to \$200 for developed parcels and \$133.76 for undeveloped parcels. Kim Carone voted against the tax

increase and stated that she believed the board was raising the tax too much and too quickly. Lori Abreu also stated she would have voted against the tax increase. **Thus, it is clear that at the very least, there is disagreement amongst board members as to how much the tax needed to be increased.**

Community members asked that the tax increase be repealed and/or reduced. Kim Carone stated that she would commit to looking into the request that the tax be reduced. None of the other board members, including all three board members who voted in favor of the tax, made any statements regarding repeal or reduction of the tax.

Desired KTCSD response: Acknowledgement by KTCSD board members that the board will evaluate options to repeal and/or reduce the tax assessment. In addition, we ask that the Board take action to reduce the tax back to the \$50 per developed parcel/\$25 per undeveloped parcel, or repeal the tax entirely.

3. During the meeting on 11/2/17 KTCSD board members indicated that the Local Agency Formation Commission (LAFCO) has pressured the board to implement a project(s), or else KTCSD will be dissolved. We are concerned that the Board is being pressured into approving and funding a project(s) merely to remain in existence. **We do not believe in the concept of, “government for the sake of government.”**

During the 11/2/17 meeting there was discussion that KTCSD was originally founded to provide the community with a border in order to forestall annexation by the cities of Brentwood and/or Oakley. It is entirely unclear whether the existence of KTCSD is in fact an effective barrier to encroachment by these cities long term. Pressure from LAFCO, or any other agency to “do something” merely for the sake of continued KTCSD existence is not a valid reason to justify project expenditures.

Desired KTCSD response: Acknowledgement by KTCSD board members that pressure from outside agencies such as LAFCO will not be a consideration with regard to the approval, continuation and/or funding of projects.

4. We are very concerned that KTCSD will begin entering into contracts, or approve recurring cost expenditures which will require the continuation of the increased tax assessment and perhaps necessitate additional tax increases. We believe this is a very valid concern because during the 11/2/17 meeting a Knightsen resident asked what would happen if more money needed to be raised to support projects. **Board member Al Simas stated that if that happened the board**

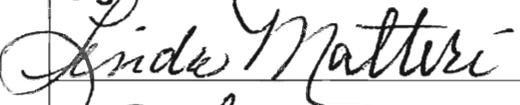
would have “no choice” but to raise more revenue. We are very concerned that this board will make financial commitments that will impose impossible financial obligations on this community and future KTCSD board members. We do not want KTCSD to continue down the path of implementing a project(s) that may someday grow to the point where they are considered to be “too big to fail.”

Desired KTCSD response: Acknowledgement by KTCSD that the board will not enter into any contracts or approve recurring cost expenditures pending the following: A) a clear determination regarding how much funding is needed for proposed projects; and, B) repeal and/or reduction of the tax increase; and, C) open public hearing to consider community feedback prior to imposition of a tax.

We appreciate your service to this community and we believe that in your own hearts you believe you are serving this community to the best of your abilities. However, we don't believe our concerns are being heard by ALL board members. We understand that KTCSD's sole responsibility is drainage and flood control and KTCSD cannot consider other community priorities. Nevertheless, we as a community must evaluate drainage and flood control in relation to other priorities because we have limited financial resources.

We ask you to consider our concerns and respond accordingly.

Sincerely,

Signature	Printed Name	Date
	LINDA MATTERI	11/15/17
	DAVID MATTERI	11/15/17
	John Wheeler	11-15-17
	STEVEN LIMRITE	11-15-17
	Laurie Limrite	11-15-17
	CHESTER C. HOCM	11-15-2017

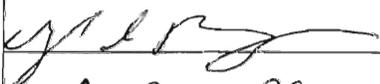
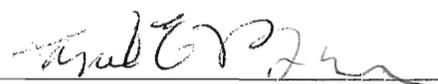
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Signature	Printed Name	Date
	James deFremery III	11/15/17
	Angela deFremery	11/20/17
P. Gail Martin	P. GAIL MARTIN	11/20/17
Lois Ann Caldwell	Lois Ann Caldwell	11/20/17
	JANET E BROWN	11/20/17

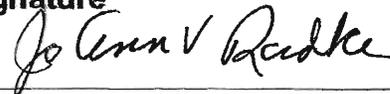
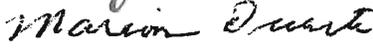
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Signature	Printed Name	Date
	Jo Ann V RADKE	11-16-17
	Colleen EVERHART	11-16-17
	BARR EVERHART	11-16-2017
	Charles C. Fetterman	11-17-2017
	Penny FETTERMAN	11-17-2017
	Marisa Duarte	11-19-2017

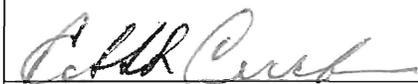
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Signature	Printed Name	Date
	ALLISON CECCHINI	11/20/17
	Barbara Cecchini	11/20/2017
	Robert L. Cecchini	11/20/17
	Jim de Fremery	11/20/17

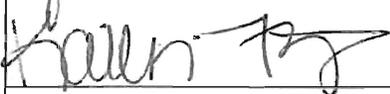
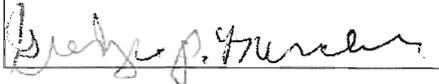
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Signature	Printed Name	Date
	Mike Espindole	11-20-17
Duplicate  →	STEVE LIMRITE	11-20-17
	Jennifer Erskine	11-20-17
	Kaitlin Foutz	11/20/17
	Charles Wade Foutz	11/20/17
	Gladys P. Mercer	11/21/17

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Sincerely,

Signature	Printed Name	Date
<i>William D. Martin</i>	WILLIAM D. MARTIN	11/20/17
<i>Bryon Bollinger</i>	Bryon Bollinger	11/20/17
<i>Loyd D. Galloway</i>	LOYD D. GALLOWAY	11/21/17
<i>Marilee Galloway</i>	MARILEE GALLOWAY	11/21/17

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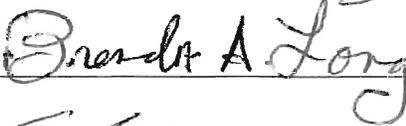
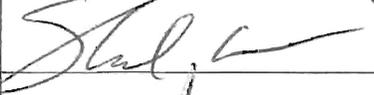
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Sincerely,

Signature	Printed Name	Date
<i>Barbara M. de Fremery</i>	Barbara M. deFremery	11-18-2017
<i>Lindy Theilen</i>	Lindy Theilen	11-18-2017
<i>Shane Theilen</i>	Shane Theilen	11-18-2017

Signature	Printed Name	Date
	Jerry E. Duarte	11/15/17
	Gilbert Somerhalder	11-15-17
	ALBERT BELLO	11-15-17
	DINO MELOZZI	11-15-17
	Hector Melozzi	11-15-17
	Kenneth Smith	11-15-17
	Sean McKinney	11/15/17
	PAUL KUNKEL	11/19/17
	ARTEMIO CORTEZ	11/20/17
	BRENDA A. LONG	11-21-17
	Sharnoi Killian	11-21-17
	Michael Killian	11-21-17
	Robert Haged	11-24-17

Signature	Printed Name	Date
Judith A Holm	Judith A. Holm	11.19.2017
Bob Rueddick	Bob Rueddick	11-19-17
Donna Rueddick	DONNA Rueddick	11-19-17
Trish Bello-Kunkel	TRISH Bello-Kunkel	11/19/17