

**DIABLO COMMUNITY SERVICE DISTRICT
PO BOX 321
DIABLO CA 94528
MINUTES
BOARD OF DIRECTORS
DIABLO COUNTRY CLUB
October 13, 2015, 7:30 p.m.**

CALL TO ORDER: President Ray Brant opened the meeting at 7:50 immediately following the DMAC meeting.

ROLL CALL: Secretary Richard J. Breitwieser called the roll as follows

Director present: BRANT, TORRU, HOFFMAN, MINI, CHOW
Director absent: None

COMMENTS FROM THE AUDIENCE: Erin Lee advised the board that her son had been attacked and bitten by two dogs on El Nido. Other residents reported that the dogs are very aggressive. Others reported that they had been attacked by the same dogs. Deputy Sheriff Buergi reported that his office had no jurisdiction because no crime had been committed. He also stated that this is an Animal Control matter.

Ron Brown, Executive Director of Save Mount Diablo, announced that he is retiring at the end of this year and introduced Monica Ruck, who will serve as the Executive Director. Mr. Brown also announced that the Mount Diablo Challenge was a success and that Mount Diablo provided some volunteers to monitor access to Alameda Diablo notwithstanding that no deputy sheriffs assisted. Mr. Chow commented that it should not be the obligation of this district to provide monitors for the Mount Diablo Challenge but that should be the obligation of Mount Diablo. Other comments by residents included that residents might attend the entrances to Diablo to reject bicyclists participating in the Challenge.

There being no further comments from the public, the president closed this portion of the meeting.

ACTION ITEM: Take action on Closure of Alameda Diablo for Halloween.

After some discussion, it was moved by Director Torru, second by Director Hoffman and unanimously approved that Alameda Diablo be closed on Saturday, November 28 from 5:30 p.m. to 8:30 p.m. and that signs advising residents of the closure be manufactured by MCE be posted 24 hours before closure.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

Deputy Sheriff Buergi stated that the Sheriff's Dept. will be unable to provide overtime deputies, retired Deputies or cadets to help patrol at the closing. Without action, the board suggested that DPOA work with the Sheriffs Dept. to determine how many volunteers will be required for the closure and where they should be stationed.

ACTION ITEM: Approve Auditor Engagement Letter from Vavrinek, Trine & Day for Audit FY 2015-16.

On motion of Director Torru, second by Director Mini, the engagement letter of Vavrinek, Trine & Day was unanimously approved.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

ACTION ITEM: Approve payment of following invoices:

On motion of Director Torru, second by Director Mini, the following invoices were unanimously approved for payment:

Big O Tires Invoices NO 005073-45841 in the amount of \$1177.84
GFK Invoice NO 13402 in the amount of \$1150.00
Container Solutions Invoice NO 119886 in the amount of \$2500.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

Director Hoffman suggested that the DRYCO invoices not be paid because there was work to be performed under the contract.

ACTION ITEM: Policy for payment of District Bills:

On motion of Director Torru, second by Director Hoffman. It was unanimously passed that the policy of this district is that no invoice will be paid until approved by the full board, with exception of

1. Routine and recurring bills including the bills of the Contra Costa County Sheriff, Gardner, Storage, and General Manager,
2. Each director may authorize payment of up to \$7500 per job without approval of the board.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

ACTION ITEM: Discuss and take action on Resolution 2015-7 to establish an inspection fee to contractors working on a facility maintained by DCSD.

After some discussion, RESOLUTION 2015 – 7 to establish an Inspection Fee to be charged to contractors working on a facility maintained by the Diablo Community Service District, in form and content as appears in the exhibit to these minutes, was unanimously passed.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

ACTION ITEM: Approve design for grid over the opening of the culvert at the intersection of Calle Arroyo and Canada Via.

On motion of Director Mini, second by Director Hoffman, The board unanimously approved the design for the grid on the culvert at the intersection of Calle Arroyo and Canada Via, as set forth in the attachment to these minutes and authorized up to \$5000 for the fabrication and installation of the grid.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

MOTION ITEM: Authorize up to \$5000 to MCE for crack sealing throughout Diablo.

On motion of Director Hoffman, second by Director Torru, up to \$5000 was authorize for crack sealing repair by MCE.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

ACTION ITEM: Authorize up to \$20,000 to MCE for pavement repair on Caballo Ranchero.

Director Hoffman reported that the total cost of repair of Caballo Ranchero is about \$120,000 and that \$20,000 is sufficient to repair the worst areas.

On motion of Director Hoffman, second by director Torru, up to \$20,000 was authorized for the temporary repair to Caballo Ranchero.

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

ACTION ITEM: CONSENT CALENDAR. The following items will be considered under a single motion unless a director calls up a specific item for individual consideration.

On motion of Director Torru, second by Director Chow, the minutes of the regular meeting of the Board of Directors of the Diablo Community Service District held on August 11, 2015 were unanimously approved

Ayes: Brant, Torru, Hoffman, Mini, Chow
Noes: None
Abstention: None
Absent: None

REPORTS:

DPOA: Don Nejedly reported:

The Newcomers Party will be held on November 15, 2015 from 5:00 to 7:00 p.m. at the Richard's residence on the west end of Caballo Ranchero

DIABLO COUNTRY CLUB: Hank Salvo reported:

Frank Cordeiro had been selected as the new manager of the Diablo Country Club and will start November 1, 2015.

He has met with representatives of the City of Danville and the Contra Costa County Sanitary District regarding the importation of runoff water to Diablo Country Club to be used for irrigation purposes. The financial structure has not yet been established.

CONTRA COSTA COUNTY: Alicia Nuchols reported:

There are openings on various Contra Costa County Community Service Committees. Persons interested should contact her.

SECURITY: Deputy Sheriff Dan Buergi:

Reviewed the Security Report for the month of September

Advised that Deputy Sheriff Mike Campisi will retire and that his last day working will be October 26, 2015.

Per diem Deputies are no longer available for weekend duty in Diablo. Cadets are not available because they are not sworn officers. President Brant reported that he is working with the Sheriff's Dept. regarding weekend coverage.

ROADS, BRIDGES & CULVERTS: Directors Don Hoffman and Jeff Mini reported:

The 2015 Roads Project is incomplete in that the contractor has not completed the work on El Nido. Among other things, the speed hump work is complete and there are additional berms at driveways to be installed.

One El Nido resident stopped the contractor from striping the portion of El Nido in front of the residents home. After some discussion Director Hoffman stated that he will have the contractor paint the stripes on El Nido in the same place as existed before the El Nido was paved.

FINANCIAL: Director Torru reported that there is about \$760,000 in the checking account and that there are approximately \$300,000 in payables against that amount. However the first installment of fees and taxes from the county is due.

COMMENTS BY DIRECTORS/PRESIDENT: None

ADJOURNMENT/ NEXT MEETING:

The President called the next meeting for Tuesday, November 10, 2015. There being no further business, the President adjourned the meeting at 9:30 p.m.

Diablo Community Service District
By

Richard J. Breitwieser, Secretary

**BEFORE THE BOARD OF DIRECTORS OF THE
DIABLO COMMUNITY SERVICES DISTRICT**

RESOLUTION 2015 – 7

A RESOLUTION SETTING
THE INSPECTIN FEES FOR
INSPECTORS EMPLOYED BY
THE DIABLO COMMUNITY
SERVICE DISTRICT TO INSPECT
WORK PERFORMED ON A
WORK PROJECT IN DIABLO

WHEREAS from time to time contractors desire to perform work in Diablo that includes the invasion of a Diablo Road, and

WHEREAS it is necessary for the Diablo Community Service district to insure that the work performed is of workmanlike quality;

NOW THEREFORE BE IT RESOLVED that any person or entity, that performs work on a road or facility or property maintained by the DIABLO COMMUNITY SERVICE DISTRICT shall pay an inspection fee to the DIABLO COMMUNITY SERVICE DISTRICT equal to the prevailing hourly rate for a licensed civil engineer in Contra Costa County plus 15% overhead for the number of hours determined by the Roads Commissioner necessary to perform the inspection of the work to be performed. The payment shall be paid no less than 10 work days before the commencement of the work. If the work of the inspector(s) takes longer than originally established, the Roads Commissioner shall estimate the additional time for the inspection work to be performed and the contractor shall immediately pay said sum to the DIABLO COMMUNITY SERVICE DISTRICT.

CERIFICIATION

I, the undersigned, certify that I am the Secretary of the Diablo Community Service District and that this Resolution 2015 – 7 is a true and accurate copy of Resolution 2015 – 7 passed by the Board of Directors of the Diablo Community Service District on July 14, 2015 at Diablo California.

Date: _____

Richard J. Breitwieser
Secretary of the Diablo Community

Service District

Diablo Community Service District
Profit and Loss Statement
3 months ended September 30, 2015

	July	August	September	YTD	Prior YTD	Budget
<i>Income</i>						
Ad Valorem Taxes				0		
Road & Security Fees				0		
Traffic Fines	117	591	313	1,021	344	575
Interest Income	7	7	7	21	61	38
Total Income	124	598	320	1,042	405	613
<i>Expenses</i>						
Sheriff Security	27,750	30,294	29,923	87,967	85,563	86,751
Auto Repairs		1,956	1,178	3,134	196	1,250
Cell Phone						100
Other						1,500
Road Maintenance		246,863	1,150	248,013	9,031	286,000
Bridge Maintenance				0	22,279	
Bridge/Culvert Engineering				0		
Storm Drain Maintenance				0		
Tree, Bush and Weed Trimming				0		
Gardener	120	120	120	360		360
Trail and Creek Maintenance		9,884		9,884		
Entrance & Island Maint				0		
General Manager	1,750	1,750	1,750	5,250	5,250	5,250
Legal Retainer	1,850	1,850	1,850	5,550	5,550	5,550
Records Storage				0		
Audit				0		
Legal Notices and Fees	60			60		
Assessors Roll/County Fees				0	54	
Other Professional Fees	1,426			1,426		3,100
Insur Director and Officers				0		
Insur Commercial and Auto				0		
Insur Excess General Liability				0		
DMAC Operating Expenses				0		
Administrative	11	11	9	31	70	100
Depreciation Expense	132	132	132	396	395	396
Miscellaneous	0	280	0	280		100
Total Expenses	33,099	293,140	36,112	362,351	128,388	390,457
Net Income	-32,975	-292,542	-35,792	-361,309	-127,983	-389,844

Diablo Community Service District

Balance Sheet

September 30, 2015

	July	August	September
ASSETS			
Current Assets			
Wells Fargo Checking Acct	\$531,362	\$457,834	\$458,138
Wells Fargo Money Market 2	<u>268,589</u>	<u>268,596</u>	<u>268,603</u>
Total Current Assets	799,951	726,430	726,741
Property and Equipment			
Computer Equip	5,917	5,917	5,917
Automobile	63,610	63,610	63,610
Other Fixed Assets	0	0	2,500
Accumulated Depreciation	<u>-66,895</u>	<u>-67,027</u>	<u>-67,158</u>
Total Property and Equipment	2,632	2,500	4,869
Other Assets			
Automobile Sinking Fund	62,833	62,833	62,833
Bridge Sinking Fund	<u>125,000</u>	<u>130,000</u>	<u>135,000</u>
Total Other Assets	187,833	192,833	197,833
Total Assets	990,416	921,763	929,443
LIABILITIES AND CAPITAL			
Current Liabilities			
Accounts Payable*	<u>55,836</u>	<u>274,725</u>	<u>313,196</u>
Total Current Liabilities	55,836	274,725	313,196
Long-Term Liabilities			
Other Liabilities	<u>187,833</u>	<u>192,833</u>	<u>197,833</u>
Total Long-Term Liabilities	187,833	192,833	197,833
Total Liabilities	243,669	467,558	511,029
Capital			
Opening Balance Equity	1,239,979	1,239,979	1,239,979
Retained Earnings	-460,256	-460,256	-460,256
Net Income	<u>-32,975</u>	<u>-325,517</u>	<u>-361,309</u>
Total Capital	746,748	454,206	418,414
Total Liabilities & Capital	990,417	921,764	929,443

Diablo Community Service District
Cash Flow Statement
3 months ended September 30, 2015

	July	August	September	Year to Date
<i>Cash Flows from operating activities</i>				
Net Income	\$ (32,975)	\$ (292,542)	\$ (35,792)	\$ (361,309)
Adjustments to reconcile net income to net cash provided by operating activities				
Accumulated Depreciation	132	132	132	395
Accounts Receivable	370			370
Accounts Payable	18,770	218,889	38,471	276,130
Accrued Expenses	-480			-480
Total Adjustments	18,792	219,021	38,602	276,415
Net Cash provided by Operations	-14,183	-73,521	2,810	-84,894
<i>Cash Flows from investing activities</i>				
Used For				
Other Fixed Assets			-2,500	-2,500
Automobile Sinking Fund				0
Bridge Sinking Fund	-5,000	-5,000	-5,000	-15,000
Net cash used in investing	-5,000	-5,000	-7,500	-17,500
<i>Cash Flows from financing activities</i>				
Proceeds From				
Other Liabilities	5,000	5,000	5,000	15,000
Used For				
Net cash used in financing	5,000	5,000	5,000	15,000
Net increase <decrease> in cash	-14,183	-73,521	310	-87,394
<i>Summary</i>				
Cash Balance at End of Period	799,951	726,430	726,741	726,741
Cash Balance at Beg of Period	-814,134	-799,951	-726,430	-814,134
Net Increase <Decrease> in Cash	\$ (14,183)	\$ (73,521)	\$ 311	\$ (87,393)