

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING AGENDA
TELECONFERENCE VIA THE APPLICATION ZOOM
TUESDAY, OCTOBER 13, 2020 7:30 p.m.**

CORONAVIRUS DISEASE (COVID-19) ADVISORY AND MEETING PROCEDURE

On March 19, 2020 the Governor issued Executive Order N-33-20, ordering all residents in the State of California to shelter at their place of residence, with the exception of those who may leave to provide or receive critical services, as defined in Order N-33-20.

Under the Governor's Executive Order N-29-20, Diablo Community Services District may utilize teleconferencing for their meetings, as a precaution to protect the health and safety of staff, officials, and the general public. Board members will be participating via teleconference. As such, there will be no physical location for members of the public to participate in this meeting.

All members of the public seeking to observe and/or address the Board may participate in the meeting in the manner described below.

This meeting can be viewed on the web-video communication platform Zoom.

ZOOM WEBSITE: <https://zoom.us/j/4680449859>
MEETING ID: 468 044 9859

Listen to the meeting live by calling Zoom.

CALL IN (AUDIO) PHONE NUMBER: Call **(346) 248-7799** or **(669) 900-9128** and enter the Meeting ID# 468 044 9859 followed by the pound (#) key.

To submit public comments before the meeting, please email your comments to generalmanager@diablocsd.org. In the body of the email, include the agenda item number and title as well as your comments. All comments must be received before 12:00 PM the day of the meeting to be included. If you would like your emailed comment to be read aloud at the meeting (not to exceed 3 minutes at staff's cadence) prominently write "Read Aloud at Meeting" at the top of the email. During the meeting, the Board President or designee will announce the opportunity to make public comments and the procedure for doing so. Emailed comments received after the close of the public comment period will be added to the record after the meeting.

CALL TO ORDER: **President: Ray Brant**
ROLL CALL: **Secretary: Jeff Eorio**
Brant, Urbelis, Becker, Eorio, Isom

PUBLIC COMMENTS: *Public comments will be taken on any subject including items on this agenda and are limited to 3 minutes per person when speaking in English, and 6 minutes per person when using a translator. Comments by the audience are not intended to result in a dialogue between members of the audience or between the audience and the Board. Please note that under Brown Act regulations, no member of the Board may engage in any discussion, other than a brief comment or request for clarification, of any item raised by any member of the audience unless that item is included as an agenda item.*

1. ANNOUNCEMENTS:

- a) Update on the District's 2020 Pavement Maintenance Project (grind and pave of 10 roads in Diablo).

2. ACTION ITEMS:

- a) Approve minutes of September 8, 2020 Regular Meeting.
- b) Approve minutes of October 7, 2020 Special Meeting.

3. REPORTS:

CONTRA COSTA COUNTY:	Alicia Nuchols
DIABLO COUNTRY CLUB:	Hank Salvo
DIABLO PROPERTY OWNERS ASSOC:	Dana Pingatore
ROADS:	Directors Becker & Brant
SECURITY:	Deputy Sheriff Dan Buergi
FINANCES:	Director Isom & General Manager

- 4. CALL OF NEXT MEETING & ADJOURNMENT:** The next DCSD Regular Board meeting is scheduled for November 10, 2020 at 7:30 p.m. via Zoom.

Diablo Community Services District by

Kathy Torru, General Manager
generalmanager@diablocsd.org

DCSD Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting; or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet, or other writings that may be distributed at the meeting should contact the General Manager at least one working day before the meeting at (925) 683-4956 or generalmanager@diablocsd.org. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Public records that relate to any item on the open session agenda are available for public inspection by contacting the General Manager and on the District's website <http://diablocsd.org>.

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
DRAFT MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
SEPTEMBER 8, 2020 7:30 p.m.**

CALL TO ORDER: President Ray Brant called the meeting to order at 7:30 p.m.

ROLL CALL: Secretary Jeff Eorio called the roll as follows:

Directors present: Brant, Urbelis, Becker, Eorio, Isom*

Directors absent:

Director Brant welcomed Directors and the general public and stated that in response to the Governor's Executive Order N-33-20 the District would be using teleconferencing (via Zoom) to conduct the Regular Board Meeting.

COMMENTS FROM THE AUDIENCE: None

ANNOUNCEMENTS:

Director Brant announced that the District will not hold an election on November 3rd for the two Directors with expiring terms (Ray Brant and Kathy Urbelis) because only two residents filed candidate papers for the Director positions (Kathy Urbelis and Matthew Cox). Director Brant will be retiring from the DCSD Board after 10 years of service.

Director Brant announced that the District's 2020 Pavement Maintenance Project (grind and pave of 10 roads in Diablo) will occur between September 24th and October 9th. Barricades with road closure info will be set up around Diablo in advance of the work and residents impacted by the road work will be notified via email about the road closure dates and the golf cart service available to shuttle residents between their homes and vehicles.

ACTION ITEMS:

On motion of Director Eorio, second by Director Urbelis, the minutes of the August 11, 2020 Regular Meeting were approved:

Ayes:	Brant, Urbelis, Becker, Eorio
Noes:	None
Abstentions:	None
Absent:	Isom

On motion of Director Eorio, second by Director Urbelis, the minutes of the August 21, 2020 Special Meeting were approved:

Ayes:	Brant, Urbelis, Becker, Eorio
Noes:	None
Abstentions:	None
Absent:	Isom

On motion of Director Eorio, second by Director Urbelis, the minutes of the August 28, 2020 Special Meeting were approved:

Ayes: Brant, Urbelis, Becker, Eorio
Noes: None
Abstentions: None
Absent: Isom

On motion of Director Urbelis, second by Director Eorio, the Board authorized the General Manager to negotiate and execute a professional services contract with ENGEQ, not to exceed \$25,000, to perform lab testing of HMA materials and provide technical assistance on as-built compliance with the 2020 Pavement Maintenance Project specifications:

Ayes: Brant, Urbelis, Becker, Eorio
Noes: None
Abstentions: None
Absent: Isom

On motion of Director Becker, second by Director Urbelis, the Board authorized the General Manager to negotiate and execute a contract with Chubb, the District's D&O insurance carrier, to purchase a tail policy for up to 3 years to eliminate the coverage gap that developed when the District switched from a claims made policy (Chubb) to an occurrence policy (GSRMA):

Ayes: Brant, Urbelis, Becker, Eorio
Noes: None
Abstentions: None
Absent: Isom

REPORTS:

CONTRA COSTA COUNTY: Alicia Nuchols reported that the County is very busy with COVID questions and concerns, completing the 2020 Census work and the early fire season high alert. The number of new COVID cases in the County is decreasing, which is a welcome sign. If residents are interested in the latest COVID information please check the County's website at www.cchealth.org.

DIABLO COUNTRY CLUB: Hank Salvo reported that there is no news on the General Manager search, and that the handicap parking space in front of the post office has been painted.

DIABLO PROPERTY OWNERS REPORT: DPOA President Dana Pingatore reported that the DPOA is performing maintenance at the front entrance, cleaning out the underbrush behind the wall and power washing and painting the fence.

The DPOA will be recognizing Diablo's Post Office employees as well as our Fed Ex and UPS drivers with an appreciation week that begins September 28th. Signs showing the community's appreciation for their work will be placed around Diablo, and treats and thank you cards will be presented to the employees.

The Historical Preservation Committee will be launching a new coffee table book on Diablo's Treasures (historic homes) later this month. A copy of the book will be gifted to each Diablo home.

ROADS: Director Brant reported that the District’s 2020 Pavement Maintenance Project (grind and pave of 10 roads in Diablo) will occur between September 24th and October 9th.

SECURITY: Deputy Sheriff Dan Buergi reported that there were two incidents of vandalism in August (removal of signs from Calle Arroyo and a barn broken into).

DISCUSSION ITEM:

Director Becker asked Sheriff Deputy Dan Buergi if a “Safety Zone” that required all cyclists, skate boarders, scooter/razor riders and skaters to walk their vehicle/mode of transportation on Club House Rd between Alameda Diablo and Calle Arroyo is enforceable. Deputy Buergi stated that Club House Road is designated for vehicular traffic and that the road cannot be overlaid with a pedestrian zone. Director Brant instructed Director Isom to work with the General Manager and General Counsel on what may be reasonable to address his safety concerns on that stretch of road and report back to the Board at the October meeting.

CALL OF NEXT MEETING /ADJOURNMENT:

The President called the next meeting for October 13th. The meeting will be conducted via Zoom.

There being no further business, the President adjourned the meeting at 8:20 p.m.

Diablo Community Services District by

Kathy Torru, General Manager

*Director Isom left after roll call and returned around 8:05 pm.

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
WEDNESDAY, OCTOBER 7, 2020 7:00 p.m.**

CALL TO ORDER: President Ray Brant called the meeting to order at 7:00 p.m.
ROLL CALL: Secretary Jeff Eorio called the roll as follows:

Directors present: Brant, Urbelis, Becker, Eorio, Isom
Directors absent:

COMMENTS FROM THE AUDIENCE: None

CLOSED SESSION:

- a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1) (Cervantes et al. v. Diablo Community Services District et al., Contra Costa County Superior Court Case No. C17-02529).

RECONVENE OPEN SESSION: President Brant reconvened the open meeting at 7:30 pm and stated there were no reportable actions.

CALL OF NEXT MEETING/ADJOURNMENT: The President called the next meeting for October 13th via Zoom. There being no further business, the President adjourned the meeting at 7:30pm.

Diablo Community Services District by

Kathy Torru, General Manager

Diablo Community Services District
Financial Summary
September 30, 2020

	July	August	September	Year to Date	Budget YTD	Prior YTD
Income						
Ad Valorem Taxes	-	-	-	-	-	-
Meas B Special Tax	-	-	-	-	-	-
Traffic Fines	-	16	-	16	1,000	878
Interest Income	8	7	7	22	-	7
Total Income	8	23	7	38	1,000	885
Expenses						
Sheriff Security	28,720	25,638	23,963	78,321	86,160	81,043
Other	-	-	-	-	-	-
Road Maintenance	-	20,075	1,654	21,729	600,000	8,993
Bridge/Culvert Maintenance	-	-	-	-	-	-
Storm Patrol & Emerg Resp	-	-	-	-	-	-
Kay's Trail Maintenance	-	-	-	-	8,000	-
General Manager	4,400	3,300	3,600	11,300	9,000	-
Legal	6,045	2,955	2,940	11,940	13,500	20,764
Audit	-	-	-	-	-	-
Other Professional	-	309	260	569	1,350	-
Software	15	587	21	623	120	603
County/State Notices and Fees	376	-	-	376	-	-
Records Storage	-	-	-	-	-	-
Insurance-Cmml and D&O	41,087	(107)	-	40,980	20,000	-
Administrative	-	-	-	-	150	92
Depreciation	755	755	755	2,265	2,265	2,266
Miscellaneous	-	-	-	-	-	-
Total Expenses	81,398	53,512	33,193	168,103	740,545	113,761
Net Income	(81,390)	(53,489)	(33,186)	(168,065)	(739,545)	(112,876)

Balance Sheet Summary

Cash	942,365	869,726	831,318
Accounts Receivable	-	-	-
Prepays*	10,000	10,000	10,000
Fixed Assets	10,787	10,032	9,277
Reserves (Bridge & Culvert)	546,748	551,748	556,748
Current Liabilities	63,078	43,172	37,195

*deposit with Burke Williams