

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING AGENDA¹
TELECONFERENCE VIA THE APPLICATION ZOOM
TUESDAY, JUNE 08, 2021 7:30 P.M.**

MEETING PROCEDURE

Under the Governor's Executive Order N-29-20 issued March 19, 2020, the Diablo Community Services District is using teleconferencing for meetings. 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 using the Zoom platform:

ZOOM WEBSITE: **<https://zoom.us/j/4680449859>**

MEETING ID: **468 044 9859**

FOR AUDIO PARTICIPATION ONLY: Call (346) 248-7799 or (669) 900-9128 and enter Meeting ID# 468 044 9859 followed by the pound (#) key.

To submit public comments before the meeting, email generalmanager@diablocsd.org before 12 pm on the day of the meeting.

CALL TO ORDER: **President: Kathy Urbelis**

ROLL CALL: **Secretary: Jeff Eorio**

Urbelis, Becker, Eorio, Isom, Cox

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. BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE: Director Urbelis

- a) Adopt Resolution No. 2021-04, approval of fiscal year 2021-2022 Budget.

ROADS: Director Cox & General Manager

¹ Agenda attachments are available on the DCSD's website (www.diablocsd.org) home page under Agenda.

SECURITY: Deputy Sheriff Dan Buergi

- a) Present prior month's security report.

GENERAL COUNSEL:

- a) Present information on potential changes to Executive Order N-29-20.

2. CONSENT CALENDAR:

- a) Approve the minutes of the May 11, 2021 Regular Meeting.

3. REPORTS:

CONTRA COSTA COUNTY:

Alicia Nuchols

DIABLO PROPERTY OWNERS ASSOC:

Dana Pingatore

DIABLO COUNTRY CLUB:

Hank Salvo

4. CALL OF NEXT MEETING & ADJOURNMENT:

The next DCSD Regular Board meeting is scheduled for August 10, 2021 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>.

RESOLUTION NO. 2021-04

**RESOLUTION OF THE DIABLO COMMUNITY SERVICES DISTRICT
APPROVING THE FISCAL YEAR 2021-22 BUDGET**

WHEREAS, The Diablo Community Services District (District) on May 20, 2021 caused to be published in the News Register of Contra Costa County, a newspaper of general circulation, a notice that the General Manager had prepared a proposed final budget for fiscal year 2021-2022, which was available for inspection, and that a public meeting would be held on June 8, 2021 at 7:30 p.m. via Zoom at which time any person could appear and be heard regarding any item in the budget or regarding the addition of any other items, and;

WHEREAS, this District did hold a public meeting on June 8, 2021 at 7:30 p.m. at which time any person could appear and be heard regarding any item in the fiscal year 2021-2022 budget or regarding the addition of any other items;

NOW THEREFORE BE IT RESOLVED, that the District Board of Directors adopts the instrument attached as its final budget for fiscal year 2021-2022.

BE IT FURTHER RESOLVED, that a copy of the final budget of the District be forwarded to the Auditor of Contra Costa County.

Effective Date. This Resolution shall take effect on and after its adoption.

* * * * *

The foregoing Resolution was passed, approved and adopted by the Board of Directors of the Diablo Community Services District this 8th day of June, 2021 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kathy Urbelis, President of the Board

Attest:

Kathy Torru, General Manager

Diablo Community Services District
FY 2022 Budget

FY-June thru July	Actual		2022 Budget					Forecast			
	2019-20	2020-21	Q1	Q2	Q3	Q4	YTD	2023	2024	2025	2026
Beginning Cash	343,468	947,010	634,343	358,860	695,306	562,315	634,343	811,696	672,905	818,458	877,865
Revenue											
Ad valorem & Special tax	781,494	796,615	-	450,148	-	368,303	818,450	840,453	863,052	886,263	910,104
Other	4,212	217	1,500	500	-	500	2,500	-	-	-	-
Total Income	785,706	796,832	1,500	450,648	-	368,803	820,950	840,453	863,052	886,263	910,104
Expenses											
Security	295,085	307,667	91,271	84,671	84,671	89,071	349,685	367,169	385,528	404,804	425,044
Roads/bridges/culverts	67,961	710,160	125,000	5,500	9,500	10,000	150,000	475,000	195,000	275,000	275,000
Professional	(205,444)	80,335	19,575	21,280	28,370	18,740	87,965	89,788	89,685	99,165	98,905
Insurance	18,269	48,961	41,087	-	-	-	41,087	41,087	41,087	41,087	41,087
Administrative*	4,152	2,000	50	2,750	10,450	1,610	14,860	6,200	6,200	6,800	6,800
Total Expenses	180,023	1,149,123	276,983	114,201	132,991	119,421	643,597	979,244	717,499	826,856	846,836
Net Income*	605,683	(352,291)	(275,483)	336,446	(132,991)	249,381	177,353	(138,791)	145,553	59,407	63,268
Incr/(decr) in AP/Prepays	(2,141)	39,624									
Ending Cash	947,010	634,343	358,860	695,306	562,315	811,696	811,696	672,905	818,458	877,865	941,133
Other Financial Data											
Reserves (bridge/culvert) (Unfunded)		574,272					667,600	757,600	859,600	961,600	1,063,600

* excludes depreciation

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
MAY 11, 2021 7:30 p.m.**

CALL TO ORDER: President Kathy Urbelis called the meeting to order at 7:30 p.m.
ROLL CALL: Secretary Jeff Eorio called the roll as follows:

Directors present: Urbelis, Becker*, Eorio, Cox
Directors absent: Isom

President Urbelis welcomed Directors and the general public and explained the rules for public comment.

PUBLIC COMMENTS: None

BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE:

On motion by Director Eorio, second by Director Cox, the Board adopted Resolution No. 2021-03 (Exhibit A), authorizing the Measure B Special Tax rates for FY22, which includes a 3% COLA, as permitted by the Special Tax, added to the FY21 rates. The tax rates for FY22 are: Improved lots - \$723.68, Unimproved lots - \$139.94, Diablo Country Club - \$25,618.64.

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

General Manager Torru presented the draft FY2022 Budget for discussion. Director Eorio requested that \$10k be added to digitalize the District's records. General Manager Torru requested that Directors, who feel that additional changes may be needed, contact her as soon as possible so that the budget can be revised, if necessary, before the budget is readied for the June 8 meeting vote by the Board.

ROADS:

Director Cox presented the maintenance proposals for the summer 2021 seal coat project. Director Eorio objected to Calle Arroyo inclusion in the project since Calle Arroyo was ruled a private road by the Courts. General Counsel Crowl reminded the Board of Resolution 2019-01, adopted by the DCSD Board in June 2019, which asserts that the use of District funds to provide services to Calle Arroyo serves a primarily public purpose and does not violate the Gift Clause of the California Constitution.

On motion by Director Cox, second by Director Becker, the General Manager was authorized to enter into a maintenance contract with Dryco Construction Inc. in the amount of \$117,847 to seal coat certain roads, including Calle Arroyo, within the District in August 2021.

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

SECURITY:

President Urbelis welcomed and introduced Lt. Scott Wooden as the new Valley Station Chief.

Deputy Buergi reported no security issues in April, and that the new Chevrolet Tahoe sheriff's vehicle has arrived and is in service.

CONSENT CALENDAR:

On motion of Director Eorio, second by Director Urbelis, the consent calendar, which consisted of the April 13, 2021 minutes, was approved.

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

REPORTS:

CONTRA COSTA COUNTY: None

DIABLO PROPERTY OWNERS REPORT: Dana Pingatore, DPOA president, reported that the Diablo flags will be up for Memorial Day and the summer Devil's Advocate will be published in June. The DPOA is welcoming a lot of new residents to Diablo and is seeing record DPOA membership. The DPOA will be decorating the entrances and post office to honor Memorial Day and the 4th of July and is planning an end of summer social event, COVID compliant. A new program "Diablo Honors" will be introduced this summer in the Devil's Advocate and post office and will profile our residents who have lived in Diablo over 50 years. The first resident to be honored is Maryam Mehran.

DIABLO COUNTRY CLUB: Hank Salvo, Diablo Country Club liaison, reported that the golf course is having maintenance performed on some of the paths that have not held up as well as expected, and that the Wellness Center that was approved by the Club members has come in at a cost far above the approved budget. The Club has paused the project and is reimagining a new pared back project that meets the essential needs of the members and falls within the approved budget.

CALL OF NEXT MEETING/ADJOURNMENT:

The President called the next meeting for June 8, 2021. The meeting will be conducted via Zoom. There being no further business, the President adjourned the meeting at 8:00 p.m.

Diablo Community Services District by
Kathy Torru, General Manager

*Director Becker entered the meeting after Resolution No. 2021-03 was adopted.

Exhibit A

RESOLUTION NO. 2021-03

**RESOLUTION OF THE DIABLO COMMUNITY SERVICES DISTRICT
CONFIRMING RESULTS OF MEASURE B SPECIAL TAX ELECTION AND
DIRECTING COUNTY AUDITOR TO LEVY VOTER-APPROVED TAX**

WHEREAS, at an election held on March 6, 2018, the Diablo Community Services District ("District") was successful in obtaining more than two-thirds voter approval to levy a qualified special tax known as Measure B (the "Tax"), as evidenced by the letter from the Contra Costa County Clerk dated March 14, 2018 containing the Certificate of Election Results; and

WHEREAS, the Tax set the initial rates for Improved Parcels, Unimproved Parcels, and the Diablo Country Club at \$662.26, \$128.06, and \$23,444.68, respectively; and

WHEREAS, the Tax allows for an annual inflation adjustment, and the District has calculated the rates for Fiscal Year 2021-2022 to be \$723.68, \$139.94, and \$25,618.64 for Improved Parcels, Unimproved Parcels, and the Diablo Country Club, respectively; and

WHEREAS, the District desires at this time to request that the Contra Costa County Auditor enter the Tax on the tax roll for collection and distribution by the Contra Costa County Tax Collector for Fiscal Year 2021-22;

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Direction to County Auditor to Levy and Collect Tax for Fiscal Year 2020-21. It is hereby certified that the proceedings in connection with the March 6, 2018 Tax election have been accomplished in accordance with law. As such, the Contra Costa County Auditor is directed to include the Tax on the tax rolls for Fiscal Year 2021-22 as follows: **\$723.68** for Improved Parcels, **\$139.94** for Unimproved Parcels, and **\$25,618.64** for the Diablo Country Club.

Section 3. Not Special Benefit Assessment; No New Taxing Area. The Tax is a special tax approved by more than two-thirds of the voters of the District voting on the measure, as authorized by California Constitution Article XIII A and 50075. The procedures applicable to special benefit assessments, fees and charges set forth in California Constitution Article XIII D do not apply to the Tax. In addition, the Tax shall be levied within the boundaries of the existing District. No new taxing area will be formed for purposes of the levy of the Tax.

Section 4. Actions to Facilitate Levy of Tax. The President of the Board of Directors is hereby authorized to take, for each fiscal year following 2021-2022, any such further actions as may be required to facilitate the successful levy and collection of the Tax in the District including, but not limited to, each year providing the County Auditor with a list of parcels upon which the Tax shall be levied, and to respond to any further requests of the County Auditor with respect to such Tax.

Section 5. Collection. The Tax shall be collected in the same manner as ordinary ad valorem taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes, and the County

Auditory is hereby authorized to deduct reasonable administrative costs incurred in collecting any such special tax.

Section 6. **Effective Date.** This Resolution shall take effect on and after its adoption.

* * * * *

The foregoing Resolution was adopted by the Board of Directors of the Diablo Community Services District on May 11, 2021.

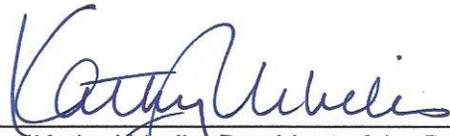
Adopted by the following votes:

AYES: Urbelis, Eorio, Cox

NOES:

ABSENT: Becker, Isom

ABSTAIN:



Kathy Urbelis, President of the Board

Attest:



Kathy Torru, General Manager