

**DIABLO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
EMERGENCY MEETING AGENDA  
TELECONFERENCE VIA THE APPLICATION ZOOM  
January 9, 2023; 2:00 PM**

**MEETING PROCEDURE**

*Pursuant to California Assembly Bill 361, the Diablo Community Services District is authorized to hold public meetings remotely and to make those meetings accessible to all members of the public seeking to observe and to address the Board by remote means. 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](mailto:generalmanager@diablocsd.org)

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

**ROLL CALL:**               **Secretary:**

**Directors:**           **Urbelis, Cox, Chartier, Lorenz, Slavonia**

**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:**

A. Declare the existence of an emergency pursuant to Government Code section 54956.5.

**Recommendation:** Motion to declare the existence of an emergency pursuant to Government Code section 54956.5 based on the ongoing storm and storm-related damage to District roads and facilities set forth in Resolution No. 2023-01 such that holding an emergency meeting of the Board is necessary and proper.

B. Proclamation that a local emergency exists pursuant to Government Code sections 8558 and 8680.9.

**Recommendation:** Adopt Resolution No. 2023-02 proclaiming the existence of a local emergency and authorizing the General Manager and Roads Commissioner to apply for any and all emergency funding available from the County and/or State of California.

**2.     CALL OF NEXT MEETING & ADJOURNMENT:**

The next DCSD Regular Board meeting is scheduled for January 10, 2023, at 7:30 p.m. via Zoom.

Diablo Community Services District by  
Kathy Torru, General Manager

## RESOLUTION NO. 2023-02

### RESOLUTION OF THE DIABLO COMMUNITY SERVICES DISTRICT PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZING THE GENERAL MANAGER AND ROADS COMMISSIONER TO APPLY FOR ANY AND ALL EMERGENCY FUNDING AVAILABLE FROM THE COUNTY AND/OR STATE OF CALIFORNIA

**WHEREAS**, on December 31, 2022, the Bay Area endured a winter storm system known as an atmospheric river that inflicted severe damage to various properties within Diablo; and

**WHEREAS**, the storm system damaged a section of Alameda Diablo Road between Avenida Nueva and Calle Arroyo such that the road may be unsafe for vehicles, including emergency response vehicles; and

**WHEREAS**, the District has engaged qualified engineers and consultants to assess and evaluate the necessary repairs and has spent and/or will spend significant funds to make said repairs and ensure the safety of residents of the District and the public; and

**WHEREAS**, staff is of the opinion that the repairs need to be made as soon as possible in order to ensure the general health, safety, and welfare of the residents, guests, and emergency personnel; and

**WHEREAS**, there is substantial evidence, including evidence in the staff report prepared for District Resolution No. 2023-01 (declaring the need for an emergency meeting and authorizing emergency expenditure of funds), demonstrating that this local emergency exists; and

**NOW, THEREFORE, BE IT RESOLVED** as follows:

**Section 1. Recitals.** The foregoing recitals are true and correct; the recitals are hereby incorporated by reference into each of the findings as though fully set forth therein. The recitals and the information below constitute findings in this matter and serve as an adequate and appropriate evidentiary basis for the findings and actions set forth herein.

**Section 2. Findings.** The Board hereby further finds the following:

- A. A local emergency, as defined in Government Code sections 8558 and 8680.9, exists based on the following conditions within the District: On December 31, 2022, the District experienced flooding, mudslides, culvert breaches, and road failure due to a high volume of rain from an atmospheric river and high winds. This storm has required the District to retain contractors with specialized equipment and supplies to assist in the cleanup and emergency repair of the roads and culvert system, which is still ongoing.
- B. The National Weather Service has warned that a second atmospheric river will arrive in the San Francisco Bay Area this week, with the potential for additional heavy rainfall hitting the territory in the District.
- C. The storm of December 31 and the incoming, anticipated storm event have created the need for emergency services beyond the capabilities or resources of the District to handle by itself.

**Section 3. Proclaimed.** The Board hereby proclaims that a local emergency now exists within the District and that during the existence of this local emergency, the powers, functions, and duties of the General Manager and Board shall be those prescribed by state law, ordinances, and resolutions of the District. The Board further authorizes the General Manager and Roads Commissioner to work with Town of Danville, Contra Costa County, and/or State officials to obtain any and all emergency funding available to cover the District's expenses for this local emergency.

**Section 4. Effective Date.** This Resolution shall take effect immediately.

\* \* \* \* \*

The foregoing Resolution was adopted by the Board of Directors of the Diablo Community Services District on January 9, 2023.

Adopted by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Kathy Urbelis, President of the Board

Attest:

\_\_\_\_\_  
Kathy Torru, General Manager