

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
JANUARY 10, 2023, 7:30 p.m.**

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

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

ROLL CALL: President Urbelis called the roll as follows:

Directors present: Urbelis, Cox, Chartier, Lorenz, Slavonia
Directors absent:

PUBLIC COMMENTS:

Nicola Place, see attached correspondence regarding upper Mt Diablo Scenic Blvd safety.

Ray Brant asked the Board to consider hiring a hydrologist to study the Dan Cook and Green Valley creeks water flow through Diablo to determine if there are actions the District can take to mitigate flooding.

Jeff Eorio, see attached correspondence regarding the November election.

Maryann Cella asked that the 1993 Ordinance Code and the DCSD Bylaws be added to the District website and that the setting of future agendas be part of the Regular Meeting agenda.

BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE:

President Urbelis welcomed new Directors Christine Chartier, Greg Lorenz and Jerry Slavonia.

President Urbelis nominated Matthew Cox for the position of Vice President. Director Chartier questioned why the President position was not included in the slate of officers being elected. General Counsel Crowl explained that the District's bylaws Article V Section 1 reads as follows:

"The President shall be elected by the Board of Directors and shall serve until he or she resigns from the position, leaves the Board or is unable to serve."

General Counsel Crowl further explained that if the Board wishes to change Article V Section 1 of the DCSD Bylaws an amendment to the Bylaws could be added as an agenda item at a future meeting. President Urbelis pointed out that the Bylaw section regarding officers serving until leaving the Board is clear in its meaning because of precedent and explained that no officer in place has ever been required to be re-elected to her knowledge.

Director Chartier made a motion to continue the election of officers until next month so that the President, Vice President, and Secretary can be elected by the current Board. Director Slavonia second the motion. Directors Chartier and Slavonia voted yes and Directors Urbelis, Cox and Lorenz voted no so the motion failed.

President Urbelis made a motion to elect Director Cox Vice President of the DCSD Board. Director Cox second the motion. Directors Urbelis, Cox and Lorenz affirmed the motion and Directors Chartier and Slavonia abstained. The motion passed 3-0 with two abstaining.

President Urbelis asked if a Director was interested in the Secretary position. No interest was expressed so the nomination of the position was continued to a future meeting.

President Urbelis appointed Director Lorenz Finance Commissioner, Director Chartier Community Liaison Commissioner and Director Slavonia Security Commissioner. Director Cox will remain Roads Commissioner.

ROADS:

Director Cox provided an update on the 2022-23 Winter Storm event that began on December 30, 2022 and continues today. Between December 30 and 31 Diablo received roughly 5.5 inches of rain in a 24-hour period, a record for the area. The extreme rain caused creek banks within Diablo to slide sending mud and debris down the creek to the Club House culvert and trash rack which caused the creek to breach its banks and send a river of water down Calle Arroyo. The extreme rain and debris also caused the culvert at the intersection of Calle Arroyo and Canada Via to breach its banks sending a river of water down Calle Arroyo and across the golf course. A mudslide at 2121 Alameda Diablo destabilized the hillside and threatened the integrity of a 27-foot-long section of Alameda Diablo. The District responded to the storm damage immediately with the hiring of engineers and contractors to monitor and clear the two culverts on Calle Arroyo, and to provide an emergency fix (1600 tons of riprap) to Alameda Diablo to prevent further creek bank erosion, the collapse of Alameda Diablo and the rupture of a gas line located less than 3 feet from the slide area. Director Cox further reported that contractors are performing daily storm patrols of Diablo to identify any new problem areas and keep the roads clear of water and debris. Deputy Buergi has altered his schedule to support the District and community during these unprecedented storm events.

General Manager Torru stated that the District had declared a "local emergency" at a DCSD Emergency Meeting held on January 9, 2023 and is working with the County to access federal and state disaster relief funds to offset the costs incurred by the District. State and Federal funds may be available to residents impacted by the storm. Jen Qualick, liaison for Supervisor Candace Andersen, stated that Contra Costa County declared a countywide emergency this afternoon that will be ratified by the Board of Supervisors next week.

Director Lorenz stated that the creek beds and banks in Diablo are private property and that it is the responsibility of the property owner to keep the creeks free of debris and maintain the health of the creek banks.

SECURITY:

Deputy Buergi stated that there were no incidents to report, and that weather and the related traffic are the biggest issues. Deputy Buergi expressed concern that residents are ignoring and removing the road closed barricades set up by the sheriff and the District. The barricades and detours are there to protect residents from harm and ignoring the barricades puts the car and other residents at risk. The barricades and detours established on Alameda Diablo last week were there to prevent residents from driving over a section of road that had been compromised by the mudslide which could have resulted in further erosion and road collapse from the weight and vibration of the car and could have resulted in a ruptured gas main and a 30-foot drop for the car and occupants if the 3 feet of road had in fact collapsed. The decision to close the road was made after engineers and contractors had toured the site to confirm that there was a risk to those using it. Diablo Country Club liaison Hank Salvo suggested that Deputy Buergi be more aggressive with tickets to encourage residents to obey the law.

CONSENT CALENDAR:

On motion of Director Chartier, second by Director Lorenz, the Directors unanimously approved the consent calendar 5-0.

REPORTS:

CONTRA COSTA COUNTY: Jen Qualick liaison for Supervisor Candace Andersen, stated that the County declared a “state of emergency” today and encouraged residents with creek property to familiarize themselves with creek maintenance guidance provided by County public works.

DIABLO PROPERTY OWNERS REPORT: Leslie Keane DPOA President, reported the DPOA is working on its 2023 contribution campaign and will be hosting a “Donuts with Deputy Dan” event at the post office on January 20th to give residents a chance to meet with Deputy Buergi. On February 7th a luncheon will be held to honor the residents who have lived in Diablo over 50 years.

DIABLO COUNTRY CLUB: Hank Salvo, Diablo Country Club liaison, reported that the Club will close January 15th for the remodel of the Clubhouse and that both the House project and the Water project were approved by the Club members.

DIRECTOR COMMENTS: None

FUTURE AGENDA ITEMS:

Director Chartier requested that an amendment of the DCSD Bylaws and a discussion of a digital DCSD resident handbook be added to the February agenda. President Urbelis stated that a discussion of in-person future meetings will also be included on the agenda. Director Cox requested that the District’s tree policy be added to the agenda and Director Lorenz asked to expand the tree policy discussion to include creek banks that abut District maintained roads.

CALL OF NEXT MEETING/ADJOURNMENT:

President Urbelis called the next meeting for February 14, 2023. The meeting will be conducted via Zoom. There being no further business, the meeting was adjourned the at 8:50 p.m.

Diablo Community Services District by

Kathy Torru, General Manager