

**DIABLO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
SPECIAL MEETING AGENDA<sup>1</sup>  
DIABLO COUNTRY CLUB RED HORSE TAVERN TOO  
MONDAY, August 28, 2023, 5:00 P.M.**

**CALL TO ORDER:**

**President: Kathy Urbelis**

**ROLL CALL:**

**Secretary: Christine Chartier**

**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. **CLOSED SESSION.**

CONFERENCE WITH LEGAL COUNSEL –CONSIDERATION OF APPOINTMENT OF GENERAL COUNSEL pursuant to Government Code Section 54957.

2. **RECONVENE IN OPEN SESSION.** Report out of closed session, if any.

3. **BOARD/STAFF COMMUNICATION AND ACTIONS:**

Director Urbelis to present for Board adoption Resolution 2023-06 designating Directors Urbelis and Cox and GM Torru as agents representing the DCSD with the Calif Gov. Office of Emergency Services for purposes of obtaining FEMA financial assistance related to the 2022-23 Winter Storms.

4. **ADJOURNMENT.** The next DCSD Regular Board meeting is scheduled for September 12, 2023, at 6:00 pm at the Diablo Country Club.

Diablo Community Services District by  
Kathy Torru, General Manager

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](mailto: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>.

<sup>1</sup> Agenda attachments are available on the DCSD's website ([www.diablocsd.org](http://www.diablocsd.org)) home page under Agenda.

## STAFF REPORT

**DATE:** August 28, 2023  
**TO:** DCSD Board Members  
**FROM:** Kathy Torru, General Manager  
**RE:** Cal OES Agent Designation for FEMA Financial Assistance

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### I. Background

Between December 30, 2022, and December 31, 2022, Diablo received 5.5 inches of rain in a 24-hour period, a record for Diablo and the surrounding area. The extreme rain caused a section of the Dan Cook Creek bank at 2121 Alameda Diablo to collapse sending mud and debris down the Dan Cook Creek to the culvert at the corner of Club House Road and Calle Arroyo which caused the Dan Cook Creek to breach its banks and send a river of water flowing down Calle Arroyo. The extreme rain and mud debris also caused the culvert at the intersection of Calle Arroyo and Canada Via to breach sending a river of water down Calle Arroyo and across the golf course. The failure of the creek bank at 2121 Alameda Diablo destabilized the hillside that abuts Alameda Diablo threatening the integrity of a 27-foot-long section of Alameda Diablo and an adjacent gas line. While the most significant infrastructure damage occurred on December 30, 2022 and December 31, 2022 Diablo continued to receive unprecedented levels of rain through the month of January which required continuous monitoring by the District.

The District responded to the storm damage with immediate hiring of engineers and contractors to design and execute an emergency repair (1400 tons of riprap) of the creek bank abutting Alameda Diablo to prevent the collapse of Alameda Diablo and the rupture of a gas line adjacent to the slide area to monitor the two culverts and to perform daily storm patrols.

The DCSD held an Emergency Meeting on January 9, 2023, and declared a “local emergency.” On January 10, 2023, Contra Cost County declared a countywide local emergency. The declaration of an emergency at the local and State levels combined with the significant storm damage to the DCSD infrastructure qualified the District for FEMA disaster related expenses financial assistance.

Since March 2023 the DCSD has been working with FEMA and the California Office of Emergency Services to complete the application process for disaster related expense reimbursement consideration. The District has 5 unique projects currently under review by FEMA and Cal OES.

Cal OES, as part of the disaster financial assistance application process, requires the DCSD Board to adopt a Resolution designating agents from the District to execute for and on behalf of the District.

### II. Recommendation

Staff recommends that President Urbelis, Vice President Cox and General Manager Torru be designated as agents to execute for and on behalf of the DCSD in its dealings with FEMA and Cal OES concerning the 2022-23 winter storm disaster relief financial assistance.



Cal OES ID No: \_\_\_\_\_

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE \_\_\_\_\_ OF THE \_\_\_\_\_  
(Governing Body) (Name of Applicant)

THAT \_\_\_\_\_, OR  
(Title of Authorized Agent)

\_\_\_\_\_, OR  
(Title of Authorized Agent)

\_\_\_\_\_  
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the \_\_\_\_\_,  
(Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM),** under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA),** under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the \_\_\_\_\_, a public entity established under the  
(Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this \_\_\_ day of \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

\_\_\_\_\_  
 (Name and Title of Governing Body Representative)

**CERTIFICATION**

I, \_\_\_\_\_, duly appointed and \_\_\_\_\_ of  
 (Name) (Title)

\_\_\_\_\_, do hereby certify that the above is a true and  
 (Name of Applicant)

correct copy of a resolution passed and approved by the \_\_\_\_\_  
 (Governing Body)

of the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.  
 (Name of Applicant)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Title)