

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
MEETING MINUTES
DIABLO COUNTRY CLUB RED HORSE TAVERN TOO
OCTOBER 10, 2023, 6:00 P.M.**

CALL TO ORDER: Vice President Matt Cox called the meeting to order at 6:02 pm.

Vice President Cox welcomed Directors and the public and explained the rules for public comment.

ROLL CALL: Secretary Chartier called the roll as follows:

Directors present: Cox, Chartier, Lorenz, Slavonia

Directors absent: Urbelis

WELCOME OFFICIALS:

Martin de los Angeles (of Best, Best, & Krieger LLP, General Counsel)

Cameron Collins (Supervisor Anderson's Liaison)

Deputy Chris Stoffels (CCC Sheriff)

Lt. Scott Dickerson (Valley Station Commander)

Hank Salvo (Diablo Country Club Liaison)

PUBLIC COMMENTS:

Maryann Cella spoke in favor of the proposed license plate reader cameras and suggested that the Athenian School and Diablo Ranch Estates HOA contribute to the cost of the Mount Diablo Scenic Blvd camera.

Ray Brandt echoed Maryann Cella's comments.

Jeff Eorio read aloud the attached comments.

Don Nejedly echoed Jeff Eorio's comments.

Maryann Cella disagreed with Jeff Eorio's election allegations and reiterated her support for the newly elected DCSD members.

Tony Geisler disagreed with Jeff Eorio's election allegations and expressed concern about the veiled threats on social media towards the "Intervenors" for fencing off the Alameda Diablo – Mt Diablo Scenic Blvd pedestrian cut through.

BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE:

General Manager Torru and Flock Safety representative Kyle Egkan presented a proposal from Flock Safety for a license plate reader security camera system at Diablo's three entrances and on Mount Diablo Scenic Blvd. On motion by Director Slavonia and a second by Director Cox the Board authorized Director Slavonia and General Manager Torru to negotiate a contract with Flock Safety for 4 license plate reader cameras and a 3-year maintenance contract for an amount not to exceed \$37,600, and directed General Manager Torru to contact the Athenian School, Diablo Ranch Estates HOA and the Mount Diablo State Park officials and request that they share in the cost of the Mount Diablo Scenic Blvd camera. Motion passed 4-0.

Director Lorenz presented the DCSD's 2023 Audit Report noting that the District received a clean opinion with no adjustments and no internal control concerns identified. A copy of the 2023 Audit Report is available on the DCSD website under the Documents tab.

ROADS:

General Manager Torru presented a proposal from Berkeley Signs to replace the three worn white wood front entrance signs with similar signs. On motion by Director Lorenz and a second by Director Chartier the Board authorized Director Cox and General Manager Torru to negotiate a contract with Berkeley Signs to replace the three wood front entrance signs with similar signs for an amount not to exceed \$6,000. Motion passed 4-0.

General Manager Torru reported that Cal-OES had approved the District's FEMA 2022-23 Winter Storm financial assistance reimbursement application and that the District should receive a check in the amount of \$311,000 by the end of the year.

SECURITY:

Deputy Stoffels reported that there were no crimes reported last month and that there was a vehicle roll over incident on Mt Diablo Scenic Blvd. On October 6th a child on a bike was involved in a hit and run incident on Diablo Road. The child's injuries were minor and the CHP is investigating the incident. In August there was a report of a wall vandalized on Mount Diablo Scenic Blvd. That investigation is still active.

CONSENT CALENDAR:

On motion by Director Cox and a second by Director Slavonia the Board approved the consent calendar. Motion passed 4-0.

REPORTS:

CONTRA COSTA COUNTY: Cameron Collins stated that there was nothing to report.

DIABLO PROPERTY OWNERS' REPORT: No report.

DIABLO COUNTRY CLUB: Hank Salvo reported that the Club facilities project is on schedule for completion in May 2024 and that the Board and membership are discussing the funding of a 10-15% budget overrun. The Water Project and an employee legal settlement are being addressed by the Club.

DIRECTOR COMMENTS: None

FUTURE AGENDA ITEMS:

Records Retention Policy.

CALL OF NEXT MEETING/ADJOURNMENT:

Vice President Cox called the next meeting for November 14, 2023 at 6:00 pm at the Diablo Country Club. There being no further business, the meeting was adjourned at 6:50 p.m.

Diablo Community Services District by

Kathy Torru, General Manager

October DCSD Meeting Public Comment

In my 43 years of living in Diablo, I have never had a reason to be embarrassed to say where I live. But now, due to the actions of the "Intervenors" the reputation of our community has been trashed in the greater San Ramon Valley. Diablo is now known as selfish, entitled, arrogant and ignorant!

From the day that I purchased my home on Alameda Diablo 43 years ago, I have utilized the Alameda Diablo easement to access our beloved Mt. Diablo to walk my dogs, ride my bike, take Cub Scouts up Dan Cook trail, ride a horse, meet neighbors and friends.

But what has transpired in the last couple of weeks, what happened to the welcoming and wonderful community of Diablo, disgusts me.

It began with Bob Tiernan's crusade against bicycles which sowed division, controversy and resentment in the community and beyond.

It grew with the lawsuits and the intervenors extending the lawsuit that Tiernan started and transitioned into the last DCSD election with the lies, distortions, deceitful ads and emails about me and Garth Hobden orchestrated by the intervenors, several of your current Board members and MaryAnn Cella.

We are now experiencing a "tyranny of the minority" again led by the intervenors, several Board members and people in community members who have bought into their rhetoric. This hateful and dishonest rhetoric has been on full display at several previous DCSD meetings whereby simple, needed new policies and procedures have become a war of words, lies, fabrications and ignorance of the powers of a special California district such as our DCSD.

From the records retention policy to the reasonable 3' set back proposal, the members of the tyranny of the minority have vilified and distorted these proposals to try to make it seem the District would be doing something nefarious with these policies and are paralyzing the DCSD.

I am very concerned about the safety and well being of members of our community and people traversing our "private but subject to a public right of way" taxpayer supported roads. Due to the actions of the intervenors, people are now crowded onto Calle Los Callados and even onto Diablo Road. They are forcing

high school and middle school kids who run on cross country, soccer and track teams to only utilize Calle Los Callados or Diablo Road. They are forcing more and more bicycles onto the very dangerous Diablo Road including the SRV and MV middle and high school mountain bike teams, putting their lives at risk. Additionally, many people I have spoken to are greatly concerned as traditional wildlife access has been taken away with this fence the intervenors paid for.

And cutting off a whole neighborhood within Diablo, the Mt. Diablo Scenic neighborhood from accessing the Club, post office and friends by bike and walking!

Residents have started a Change.org petition which has gathered almost 2,000 signatures asking US Bank to remove the section of fence on their property. And I ask the intervenors, did you seek any permission from US Bank that now holds the deed to the easement in question, permission to install a fence. Apparently not!

In closing, this Board needs to act on a records retention policy and the 3' set back proposal as soon as possible and again, I am disgusted, angry and sad for our community due to the actions of a small group of mean-spirited people.

Jeff Eorio

Alameda Diablo Resident since 1979