

**DIABLO MUNICIPAL ADVISORY COUNCIL
REGULAR MEETING AGENDA¹
DIABLO COUNTRY CLUB RED HORSE TAVERN TOO
MONDAY, April 8, 2024, 6:05 P.M.
(IMMEDIATELY FOLLOWING DCSD MEETING)**

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. ADMINISTRATIVE COMMUNICATION AND ACTIONS

2. LAND USE COMMUNICATION AND ACTIONS

Review and consider for adoption a County Agency Comment Request Packet Response Policy.

3. CONSENT CALENDAR

Approve the minutes of the November 13, 2023, Regular Meeting.

4. FUTURE AGENDA ITEM ANNOUNCEMENT

5. CALL OF NEXT MEETING/ADJOURNMENT

The next DMAC Regular Board meeting is scheduled for Monday May 13, 2024, following the DCSD meeting which begins at 6:00 p.m.

Diablo Municipal Advisory Council by

Kathy Torru, General Manager

DMAC Board Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to 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 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>.

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

STAFF REPORT

DATE: April 8, 2024
TO: DMAC Members
RE: County Agency Comment Packet Response Policy

BACKGROUND

Formation and Mission of DMAC

The Diablo Municipal Advisory Council (DMAC), established by the Contra Costa County Board of Supervisors in the late 1990s, represents the Diablo community to the Contra Costa County Department of Conservation & Development in matters pertaining to planning and zoning. DMAC's authority is strictly advisory and therefore is not binding. Specifically, the County Board of Supervisors granted DMAC the following authority under CCC Resolution No. 2006/791, which was then extended at the December 16, 2008 CCC Board of Supervisors' Board Meeting:

11. MAC External Communication and Representation (from 2008 mtg):

MACs advise the Board of Supervisors on land use and planning matters affecting their communities of interest and may represent their communities before the Board of Supervisors, the Planning Commission and the Zoning Administrator on such issues as land use, planning, and zoning. MACs may also represent the community before the Local Agency Formation Commission on proposed boundary changes affecting the community.

MACs may advise the Board of Supervisors on services which are or may be provided to the community by Contra Costa County or other local government agencies. Such services include, but are not limited to, public health, safety, welfare, public works, and planning. MACs may also provide input and reports to the Board, County staff or any County hearing body on issues of concern to the community.

However, it is understood that the Board of Supervisors is the final decision-making authority with respect to issues concerning the community and that the Council shall serve solely in an advisory capacity.

In 2006, at the request of the County Board of Supervisors, DMAC's advisory work became the responsibility of the Diablo Community Services District (DCSD) Board. Separate meetings would be held, and all County communication concerning zoning and planning within Diablo would be through DMAC.

County Communication Protocols

In 2021, DMAC established the following communication protocols with the Contra Costa County Department of Conservation & Development (County) to improve land use communication between Diablo and the County.

- All land use, planning matters and services, such as zoning, boundaries, public health, safety and public works impacting the community of Diablo will be communicated to DMAC via email to *generalmanager@diablocsd.org*. If USPS mailing is required,

communication will be sent to DMAC, PO Box 321, Diablo, CA 94528.

- DMAC has the authority to design/define notification review processes within Diablo, including use of other committees or persons with expertise on particular land use or planning matters. However, DMAC is the only organization authorized to respond to/advise the County on such matters.

SUMMARY AND RECOMMENDATION

The County is the decision maker for all Diablo land use, zoning, and planning issues. DMAC is an advisory board that provides comment to the County on Diablo land use, zoning, and planning issues that the County has invited DMAC to comment on. The opportunity for DMAC comment is provided by the County in the form of a County “Agency Comment Request Packet” which contains a description of the issue and the specific area the County is requesting comment on.

To ensure consistent and timely responses, DMAC is being asked to consider the following internal *Agency Comment Request Packet Response Policy*.

- Agency Comment Request Packets are received by the General Manager via email or USPS mail for review and investigation. The General Manager analyzes each request, determines with DMAC President and Vice President/designated Board Member whether further action is required. There are two types of requests:
 - Those with limited Community impact, and therefore require limited follow-up, e.g., variance requests. These are most common.
 - Those with broader land use, zoning, and planning impact on the Community. These are more complex and often require investigations including site visit(s), communication with property owner(s), adjacent neighbors, developers, and/or communication with the County planner(s).
- Once review of a request is complete, the General Manager communicates the recommended course of action to DMAC President and Vice President/designated Board Member.
- Requests with limited Community impact are addressed as follows:
 - Uncontested Agency Comment Request Packets will be approved by DMAC President and Vice President/designated Board Member unless one of them requests the item go before the full Board for discussion and vote. If the request does not go to the full Board, the communication to the County will state “DMAC has no comment or objection to the Request.”
 - Contested Agency Comment Request Packets with limited Community impact will be approved by DMAC President and Vice President /designated Board Member unless one of them requests the item go before the full Board for discussion. If the contested request does not go to the DMAC Board, the communication to the County will identify the objection details and provide a recommended course of action.
- Requests with broader land use, zoning and planning impact on the Community are addressed as follows:
 - Due to the potential complexity of these requests, investigations will be conducted, and the results will be presented to the full DMAC Board for discussion and vote. The communication to the County will be prepared by the General Manager according to the directions provided by the Board.

**DIABLO MUNICIPAL ADVISORY COUNCIL
SPECIAL MEETING MINUTES
DIABLO COUNTRY CLUB RED HORSE TAVERN TOO
NOVEMBER 13, 2023, 6:00 P.M.**

CALL TO ORDER: President Kathy Urbelis called the meeting to order at 6:58 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, Lorenz, Slavonia

Directors absent: Chartier

PUBLIC COMMENTS: None

ADMINISTRATIVE COMMUNICATION AND ACTIONS:

On Motion by President Urbelis and a second by Director Slavonia the Board approved the 2023 Advisory Board Annual Report to be filed with the County. Motion passed 4-0.

LAND USE COMMUNICATION AND ACTIONS:

Will Nelson, County Principal Planner and Emily Groth, County Planner, presented the draft Envision 2040 General Plan and Climate Action Plan for public review and comment. The County Board of Supervisors expect to adopt the final plans in fall 2024. The General Plan represents the County's constitution for land use and is reviewed and updated every 20-25 years. The last time that the County's General Plan was updated was in 1991. The Climate Action Plan aligns the County's greenhouse mitigation policies and goals with the State's policies and goals. Envision 2040 information is available on the County website at <https://www.contracosta.ca.gov/6970/Envision-Contra-Costa-2040>.

CONSENT CALENDAR:

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

CALL OF NEXT MEETING/ADJOURNMENT:

President Urbelis called the next meeting for January 8, 2024 at 6:00 pm at Diablo Country Club following the DCSD Meeting. There being no further business, the meeting was adjourned at 7:21 p.m.

Diablo Community Services District by

Kathy Torru, General Manager