

**DIABLO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING AGENDA<sup>1</sup>  
DIABLO COUNTRY CLUB CURTOLA ROOM  
MONDAY, AUGUST 12, 2024, 6:00 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. BOARD/STAFF COMMUNICATION AND ACTIONS**

**ADMINISTRATIVE:** Director Urbelis

- a) County Mosquito and Vector Control presentation.  
Andrew Pierce, Public Information and Technology Officer with the Contra Costa Mosquito & Vector Control District will share valuable information about what the public health agency does to protect county residents from mosquitoes, rats and mice, skunks, ground-nesting yellow jackets, and ticks. Mr. Pierce will also detail what residents can do to protect themselves, the services the District provides to residents at no additional charge, and how residents can partner with the District and protect public health.
- b) Present Resolution 2024-04, Records Retention Policy and Schedule for discussion and adoption.

**FINANCES:** Director Lorenz

- a) Present the DCSD financial report for the 12-month period ended June 30, 2024.
- b) Provide update on 2024 audit.

**ROADS:** Director Cox

- a) Present the WIN Structural Consulting assessment report findings on the two Alameda Diablo bridges and the Caballo Ranchero bridge.
- b) Provide update on the ENGEO creek and open-space assessment.

**SECURITY:** Director Slavonia

- a) Provide a security update since the last Regular Meeting.
- b) Authorize General Manager Torru to purchase an AED defibrillator for the Deputy car at a cost not to exceed \$1,650.

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

2. **CONSENT CALENDAR**

- a) Approve the minutes of the June 10, 2024 Regular Meeting.
- b) Approve the minutes of the July 15, 2024 Special Meeting.

3. **REPORTS**

<b>CONTRA COSTA COUNTY:</b>	Cameron Collins
<b>DIABLO PROPERTY OWNERS ASSOC:</b>	Leslie Keane
<b>DIABLO COUNTRY CLUB:</b>	Hank Salvo

4. **DIRECTOR COMMENTS**

5. **FUTURE AGENDA ITEM ANNOUNCEMENT**

6. **CALL OF NEXT MEETING & ADJOURNMENT**

The next DCSD Regular Board meeting is scheduled for September 9, 2024, at 6:00 p.m. at 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>.

## STAFF REPORT

**DATE:** August 12, 2024  
**TO:** DCSD Board Members  
**FROM:** Kathy Torru, General Manager  
**RE:** Records Retention Policy and Schedule

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### Background

The Diablo Community Services District (District) generates and receives records in paper and digital format in its normal course of business. To ensure that that the District's important documents are kept safe and organized, and that the District remains in compliance with legal and regulatory requirements, i.e, FEMA and GSRMA, Directors will consider for approval the attached Resolution No. 2024-04, adopting the Records Retention Policy and Schedule, attached as Exhibit "A" thereto.

The foundation of the District's Records Retention Policy and Schedule (Policy and Schedule) is California's Government Code Section 60201, which requires the following records be maintained by a Special District:

- Records relating to the formation, change of organization, or reorganization of the District.
- Ordinances, until they have been repealed, or have become invalid or otherwise unenforceable for five years.
- Minutes of any meeting of the District.
- Records relating to any pending claim, litigation, any settlement or other disposition of litigation within the past two years.
- Records that are the subject of any pending request for records under the California Public Records Act, whether or not the record is exempt from disclosure, until the request has been granted or two years after the request has been denied by the District.
- Records relating to any pending construction that the District has not accepted or for which a stop notice claim may be legally presented.
- Records relating to any non-discharged debt of the District.
- Records relating to the title to real property in which the District has an interest.
- Records relating to any non-discharged contract to which the District is a party.
- Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received.
- Unaccepted bids or proposals, which are less than two years old, for construction of any building, structure, or other public work.

- Records less than seven years old that specify any compensation paid to employees or independent contractors providing personal or professional services to the District, or that relate to expense reimbursement to District officers or employees or to the use of district paid credit cards or any travel compensation mechanism.

This Government Code coupled with guidance from the District's General Counsel Best, Best & Krieger LLC and its records retention experts and review of other Special District policies and schedules provided the framework for the District's Policy and Schedule.

The Policy and Schedule preserve and safeguard the District's important records and provide a system of organization and filing that allows Directors and staff to efficiently access District information. And while these documents have been thoughtfully prepared, they are living documents to be reviewed and updated periodically to ensure that records associated with new or changed work by the District are properly retained.

After adoption of a Policy and Schedule, the Board of Directors should authorize immediate implementation to begin. Recommendations include directing the General Manager to perform the following:

- Inventory the District's documents in the offsite storage unit and report back to the Board the results of that work including a summary of the documents that do not fall into the Records Retention Schedule and/or would qualify for destruction.
- Preserve all documents inventoried in the storage unit until such time that specific documents are authorized for destruction by the Board.
- Research and obtain proposals from service providers to design the District's procedures for establishing a process to define and store records in secure cloud storage and to provide easy, efficient access to those records. The work will include categorizing, digitizing and storing current records.
- Research and propose records destruction procedures for authorization by the Board.

### **Recommendation**

Staff recommends that the Board approves the attached Resolution No. 2024-04, adopting the Records Retention Policy and Schedule, attached as Exhibit "A" thereto, and direct the General Manager to inventory the records in the offsite storage unit and obtain proposals from digitization and cloud service providers.

**RESOLUTION NO. 2024-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DIABLO  
COMMUNITY SERVICES DISTRICT ADOPTING A RECORDS RETENTION  
POLICY AND RECORDS RETENTION SCHEDULE**

**WHEREAS**, Sections 60200 through 60203 of the Government Code provide procedures regulating the retention of special district records and destruction of obsolete records for special districts; and

**WHEREAS**, in order to stay current with continuing changes in records retention statutes and regulations, the District desires to adopt a records retention policy and records retention schedule (collectively the "Records Retention Policy") for the orderly retention of District records and the proper disposal of obsolete records.

**NOW THEREFORE, THE BOARD OF DIRECTORS OF THE DIABLO COMMUNITY SERVICES DISTRICT DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** The Records Retention Policy, attached hereto as Exhibit "A," incorporated herein by reference and made a part hereof, is hereby adopted as the official records retention policy of the Diablo Community Services District.

**SECTION 2.** The Board of Directors hereby finds that the Records Retention Policy complies with the California Secretary of State's Local Government Records Management Guidelines, as required under Government Code section 60201, subdivision (b)(2). The Board of Directors further finds that any obsolete records destroyed pursuant to the Records Retention Policy will not adversely affect the District or the public.

**SECTION 3.** The General Manager of the District and her designee are authorized to do any and all acts necessary to give effect to and comply with the terms and intent of the Records Retention Policy. The General Manager and her designee shall be responsible for the administration of the retention of records and the destruction of obsolete records pursuant to the Records Retention Policy.

**SECTION 4.** The General Manager and her designee shall have ongoing authority to authorize destruction of obsolete District records in accordance with the Records Retention Policy.

**SECTION 5.** The Board Secretary shall certify to the passage and adoption of this Resolution.

**SECTION 6.** This Resolution shall become effective immediately upon its passage and adoption.

\* \* \* \* \*

**PASSED, APPROVED AND ADOPTED** this 12 day of August, 2024.

Adopted by the following votes:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Kathy Urbelis, President of the Board

ATTEST:

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Christine Chartier, Secretary of the Board

**EXHIBIT "A"**

DIABLO COMMUNITY SERVICES DISTRICT

RECORDS RETENTION POLICY

[Attached]

**Diablo Community Services District**  
**Records Retention and Destruction Policy**  
**August 12, 2024**

**Purpose**

The purpose of this policy is to establish guidelines regarding the retention of Diablo Community Services District (“District”) records; provide for the identification, maintenance, and safeguarding of District records and the destruction of obsolete records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements. This policy is subject to periodic review to ensure that records associated with new or changed work by the District are properly retained/destroyed.

**Definitions**

1. Document or Record means any handwriting, typewriting, printing, photostating, photographing, photocopying, electronic mail or facsimile transmission, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.
2. Official Record means a record that: (a) is required to be maintained for a specific period of time under the attached Records Retention Schedule (Attachment A); (b) is otherwise required by law to be kept permanently or for a specific period of time; or (c) is necessary and convenient to the discharge of a District officer or employee’s official duties and was made or retained for the purpose of preserving its informational content.
3. Transitory Record means a record whose value is comparatively short-lived and may be discarded when it has fulfilled the brief, limited purpose for which it was created. Transitory records include, but may not be limited to, preliminary drafts, notes, or inter- or intra-agency memoranda not kept in the ordinary course of business and the retention of which is not necessary for the discharge of a District officer or employee’s official duties. Specific examples are: transmittal letters, acknowledgments, drafts, rough notes, preliminary calculations, non-substantive follow-up communications or reminders, and similar electronic communications that, based on their content, are not required to be retained as “Official Records.”

## **Authorization**

The General Manager is authorized by the Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers, and documents that meet the qualifications governing the retention and disposal of records, specified in the Records Retention Schedule (Attachment A). The General Manager is also responsible for working with the Directors to properly dispose of their records as required by this policy.

## **General Guidelines**

The following general guidelines apply to all District records:

1. Except where a record is expressly required to be preserved according to applicable law, the District may destroy any original obsolete document without retaining a copy of the document as long as the retention and destruction of the document complies with the Records Retention Schedule as set forth in this policy (Government Code Section 60201).
2. In addition to the retention periods required under this policy, the District shall retain original administrative, legal, fiscal and/or historical records with continued value (i.e., records for long-term transactions and/or special projects) as Official Records until all matters pertaining to such records are completely resolved or the time for appeals has expired.
3. Pursuant to Government Code Section 60201, the District shall not destroy any of the following records:
  - Records relating to the formation, change of organization, or reorganization of the District.
  - Ordinances until they have been repealed or have become invalid or otherwise unenforceable for five years.
  - Minutes of any meeting of the District.
  - Records relating to any pending claim, litigation, any settlement or other disposition of litigation within the past two years.
  - Records that are the subject of any pending request for records under the California Public Records Act, whether or not the record is exempt from disclosure, until the request has been granted or two years after the request has been denied by the District.



- Records relating to any pending construction that the District has not accepted or for which a stop notice claim may be legally presented.
  - Records relating to any non-discharged debt of the District.
  - Records relating to the title to real property in which the District has an interest.
  - Records relating to any non-discharged contract to which the District is a party.
  - Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received.
  - Unaccepted bids or proposals, which are less than two years old, for construction of any building, structure, or other public work.
  - Records less than seven years old that specify any compensation paid to employees or independent contractors providing personal or professional services to the District, or that relate to expense reimbursement to District officers or employees or to the use of district paid credit cards or any travel compensation mechanism.
4. Except as otherwise provided in this policy, the General Manager may authorize the destruction of hard copy originals of Official Records upon complying with all of the requirements of Government Code section 60203, which ensures that such records are reproduced and maintained in a format that accurately reproduces the original in all details and that does not permit modifications. Such methods may include, but are not limited to, having the records photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document, or reproduced on film, optical disk, or any other medium in compliance with Government Code section 12168.7 for recording of permanent records or nonpermanent records.
5. In destroying records pursuant to this Policy and the Records Retention Schedule, if a record relates to any project funded, in whole or part, by federal or State grant funds, the District shall comply with any federal or State law applicable to the preservation of records related to the grant, including, without limitation, 2 CFR Part 200. If there is any conflict between this Policy or Records Retention Schedule and any federal or State law regarding the preservation of records related to the applicable grant, the provisions of federal and State law will prevail.

## **Specific Guidelines**

1. At any time, the District may discard Transitory Records that have fulfilled their limited purpose; provided, however, that any Transitory Records subject to paragraph 3 of this section may not be discarded and shall be temporarily retained for the necessary period.
2. The General Manager is authorized to destroy at any time any duplicate record of the District, while the original, whether in paper or electronic format, is retained by the District for the legally required time period.
3. Disposal of any record, whether it is an Official Record that has met or exceeded its retention periods or a Transitory Record that has fulfilled its limited purpose, must be postponed if the record is responsive to, subject to, or relates in some way to any of the following:
  - A pending Public Records Act request received by DCSD;
  - A subpoena served on DCSD;
  - A Request for Production received by DCSD from an opposing party in litigation;
  - A court order;
  - A litigation hold or request for preservation of evidence received by DCSD; or
  - A claim filed against DCSD under the Government Claims Act.

The above exceptions apply to both hard copy and electronic records.

4. In addition to any required legal retention period, the District shall not authorize the destruction of any record subject to audit until it has been determined that the audit has been performed.

## **Destruction Process**

A general schedule shall be established for the review and destruction of records being retained to determine whether any have reached or passed their destruction date; e.g., every six months, annually. In consultation with General Counsel, the General Manager shall prepare a list of records to be destroyed and request formal destruction approval from the Board's President and Vice President. These records destruction approval forms will become a District record and have an appropriate retention/destruction schedule.

Paper records will be destroyed by shredding. Electronic records will be destroyed through a formal deletion process.

### **Records Management**

Except where required by law, the District will retain its records in electronic format. Records shall be stored in a secure cloud space and organized in an accessible manner. Backup shall be created to ensure against loss. Backups of records shall be created/destroyed in accordance with the Records Retention Schedule and this policy. The methods used for record storage shall be reviewed from time-to-time as necessary.

Emails relating to District business, whether located on a District-owned electronic device or account or a personal electronic device or account are considered "public records" under the California Public Records Act and may be subject to disclosure.

Directors leaving the Board and contractors completing work for the District are required to turn over any Official Records or copies of records that they have retained and sign a formal statement that they no longer have access to District records. These records will be destroyed in accordance with this policy.

### **Records Retention Schedule**

The "Records Retention Schedule" is incorporated into this policy as Attachment A. This policy, including the Records Retention Schedule, shall comply with applicable law, as well as the records retention guidelines provided by the California Secretary of State. The Records Retention Schedule may be updated from time to time by the General Manager with authorization from the Board of Directors in order to stay current with applicable laws, as well as any other regulations, regarding the retention of District records.

## Attachment A Records Retention Schedule

The following table defines the District's rules, by record type, for compliance with applicable records retention laws and regulations and District policies.

<b>Record</b>	<b>Retention Period</b>
<b>FORMATION, LEGAL, GENERAL ADMINISTRATION</b>	
Organizational Documents: formation documents and other historical records related to district formation	Permanent
Litigated/settled claims	Permanent
Auditors' Reports: a) audits by independent accountants/auditors b) audit work papers	a) Permanent b) 3 years after the date of the audit report
Reports to State and County agencies: e.g., CA Annual Financial Transaction Report	7 years
District Bylaws	Permanent, until modified or replaced
Board of Directors Meetings: official minutes and meeting attachments such as staff reports, financial statements, etc.	Permanent
Board of Directors Meetings: agendas	3 years
Ordinance Codes, Resolutions and Policies	Permanent, until modified or replaced
Oaths of Office and Statements of Economic Interest (Form 700 reports)	7 years Forms 700 will be obtained as original hard copy for 2 years per state law
Records destruction approval forms	3 years
Website content	Permanent, until modified or replaced
Correspondence: e.g., regarding district policy, practices, requirements, contracts, email etc.	3 years or until subject matter is closed
Deeds, easements	Permanent
Third party contracts: e.g., external auditors and general consulting and professional services contracts	Until replaced or closed + 3 years
<b>INFORMATION TECHNOLOGY</b>	
Software contracts for website, email, accounting system, etc.	Until replaced or 3 years after expiration
<b>FINANCE</b>	
<b>General Accounting Records</b>	
Trial balance, general ledger and general journal	7 years
Annual budget including forecasts of all future incomes, receipt and expenditures	7 years
Annual financial statements (internal)	7 years
<b>Accounts Payable</b>	
Accounts payable ledgers	7 years
Accounts payable records	7 years
Bank statements and reconciliations	7 years
Cash Receipts and Deposits	7 years

Accounts payable expense reports	7 years
Vendor invoices and payment records; expense reimbursements to District officers and independent contractors	7 years
Purchase records/invoices	7 years
<b>Revenue</b>	
Tax receipts (ad valorem and special tax)	7 years after expiration
Miscellaneous receipts, including traffic tickets	7 years
Assessment Rolls	7 years
Special Tax establishment records: proposal, vote, final action statement	Permanent
<b>Insurance</b>	
Insurance records:	
(a) Records of insurance policies, showing coverage, premiums paid, and expiration dates	15 years
(b) Records of amounts recovered from insurance companies in connection with losses and of claims against insurance companies, including reports of losses, and supporting papers	7 years
(c) Correspondence	Current fiscal year plus 7 years
(d) Renewal applications	Current fiscal year plus 7 years
Third party insurance certificates	7 years
<b>ROAD AND BRIDGE MAINTENANCE</b>	
Third party contracts, including amendments and clarifications: road grind and pave, slurry seal, general maintenance projects; bridge maintenance projects; culvert maintenance projects	15 years after the expiration or project closure, or until the conclusion of any contract disputes pertaining to such contracts, whichever is later
RFPs: successful and unsuccessful	3 years or until project is closed
Major road/bridge work contracts: e.g. grind and pave or reconstruction	Until contract is replaced
Road/Bridge Summary Maintenance Report (internal)	15 years, rolling
Studies/reports authorized by the District: e.g., hydrology, bridge assessment, road or culvert assessment	Until replaced or the information is termed obsolete
<b>SECURITY</b>	
Sheriff's Department: personnel contract	3 years after replaced or closed
Sheriff's Department: equipment leases/contracts, e.g., sheriff's vehicle, PC, cell phone, guns	7 years after contract/lease expires
Security Summary Report (internal)	15 years, rolling
Security report (external)	3 years

Diablo Community Services District  
Financial Report  
June 30, 2024

	July	August	September	October	November	December	January	February	March	April	May	June	Actual YTD	Budget YTD
<b>Beginning Cash</b>	504,843	434,909	402,418	359,520	329,968	285,166	1,050,122	996,066	927,144	885,167	1,197,988	1,601,918	504,843	504,843
<b>Revenue</b>														
Tax revenue	-	-	-	17,379	-	494,232	-	-	-	357,244	-	58,899	927,754	896,760
Other revenue	3	43	2	2	3	324,372	9	7	96	156	11	167	324,871	-
Total Income	3	43	2	17,381	3	818,604	9	7	96	357,400	11	59,066	1,252,625	896,760
<b>Expenses</b>														
Sheriff services	31,196	28,244	29,250	29,278	45,938	29,673	30,405	30,621	29,018	29,018	30,443	28,174	371,258	412,985
Road/bridge/culvert/trail	5,915	1,028	4,076	3,874	2,628	41,981	4,582	1,971	3,942	15,913	3,804	105,952	195,665	258,000
Professional services	8,906	10,675	14,100	10,653	8,142	8,185	6,228	8,815	10,016	9,028	7,602	8,140	110,488	73,602
Insurance	40,239	-	-	-	-	-	852	-	-	-	-	-	41,091	41,015
Administrative	-	15	1,542	-	-	-	37	-	-	-	-	182	1,776	17,450
Total Expenses	86,256	39,962	48,968	43,805	56,708	79,839	42,104	41,407	42,976	53,959	41,849	142,447	720,278	803,052
Net Income	(86,253)	(39,919)	(48,966)	(26,424)	(56,705)	738,765	(42,095)	(41,400)	(42,880)	303,441	(41,838)	(83,381)	532,347	93,708
Incr/(decr) in payable/prepaid	16,319	7,428	6,068	(3,128)	11,903	26,191	(11,961)	(27,522)	903	9,380	445,768	60,796	542,143	600
<b>Ending Cash</b>	<b>434,909</b>	<b>402,418</b>	<b>359,520</b>	<b>329,968</b>	<b>285,166</b>	<b>1,050,122</b>	<b>996,066</b>	<b>927,144</b>	<b>885,167</b>	<b>1,197,988</b>	<b>1,601,918</b>	<b>1,579,333</b>	<b>1,579,333</b>	<b>597,952</b>
<b>Other Financial Data</b>														
Prepaid/deposit														
Reserves (bridge/culvert)*	765,928	770,928	775,928	780,928	785,928	824,256	832,286	837,286	842,286	847,286	852,286	857,286		
Accounts payable	63,715	71,142	77,212	74,083	85,986	112,176	100,215	72,694	73,597	82,976	70,866	172,159		
Accrued expense														
Other liabilities	-	-	-	-	-	-	-	-	-	-	457,878	457,878		

**Notes**

\* reserves are unfunded

**DIABLO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
REGULAR MEETING MINUTES  
DIABLO COUNTRY CLUB CURTOLA ROOM  
JUNE 10, 2024 6:00 P.M.**

**CALL TO ORDER:** President Kathy Urbelis called the meeting to order at 6:00 pm.

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

**ROLL CALL:** Director Chartier called the roll as follows:

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

**Directors absent: Lorenz**

**WELCOME OFFICIALS:**

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

Hank Salvo (Diablo Country Club Liaison)

Kathy Torru (General Manager)

**PUBLIC COMMENTS:**

Kay Batts thanked general counsel Martin de los Angeles for his well-written letter dated May 9, 2024 addressed to Nicola Place and the property owners of upper Mt Diablo Scenic Blvd.

Jeff Eorio expressed support for the agenda item establishing a records retention policy and digitizing the District's records and reinforced the importance of a records retention policy.

**BOARD/STAFF COMMUNICATION AND ACTIONS:**

**ADMINISTRATIVE:**

President Urbelis presented the purpose for establishing a records retention policy along with a summary of steps that would be part of development and adoption of such a policy. Policy development plans and schedules, which will include public working sessions, will be worked out with the Board. The target date for adoption of a records retention policy is late fall.

On motion by Director Slavonia and second by Director Chartier, Resolution 2024-02 approving the DCSD Fiscal Year 2024-25 Budget was adopted. Motion passed 4-0.

On motion by Director Chartier and second by Director Slavonia, Resolution 2024-03 approving the Specifications of the Election Order for the November 5, 2024 General Election to include two director seats was adopted. Motion passed 4-0.

**ROADS:**

On motion by Director Slavonia and second by Director Cox, Director Cox and General Manager Torru were authorized to negotiate a contract with ENGEO for the assessment of creeks and hillsides within Diablo at a cost not to exceed \$15,000. Motion passed 4-0.

On motion by Director Cox and second by President Urbelis, President Urbelis, Director Cox and General Manager Torru were authorized to negotiate a settlement with WIN Structural Consulting for the bridge assessment 3D scan change order, not to exceed \$10,505. Motion passed 4-0.

**SECURTY:**

Director Slavonia reported that there were no crimes reported last month and that Deputy Chris will be on vacation through the end of June. Deputy Chris' shifts will be covered by sheriff department deputies.

**CONSENT CALENDAR:**

On motion by Director Chartier and second by President Urbelis, the May 13, 2024 Regular Minutes were approved. Motion passed 4-0.

**REPORTS:**

**CONTRA COSTA COUNTY:** No report.

**DIABLO PROPERTY OWNERS' REPORT:** No report.

**DIABLO COUNTRY CLUB:** Hank Salvo, Diablo Country Club liaison, reported that the Club House is open; however, there is still some remaining work that should be completed this summer.

**DIRECTOR COMMENTS:** None

**FUTURE AGENDA ITEMS:** None

**CALL OF NEXT MEETING/ADJOURNMENT:**

President Urbelis called the next meeting for August 12, 2024 at 6:00 pm at Diablo Country Club. There being no further business, the meeting was adjourned at 6:22 p.m.

Diablo Community Services District by

Kathy Torru, General Manager



**DIABLO COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
SPECIAL MEETING MINUTES  
DIABLO COUNTRY CLUB CURTOLA ROOM  
JULY 15, 2024 6:00 P.M.**

**CALL TO ORDER:** President Kathy Urbelis called the meeting to order at 6:00 pm.

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

**ROLL CALL:** Director Chartier called the roll as follows:

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

**Directors absent: None**

**WELCOME OFFICIALS:**

Zach Scalzo (of Best, Best, & Krieger LLP, General Counsel)

Kathy Torru (General Manager)

**PUBLIC COMMENTS:**

Maryann Cella requested that the District invite interested law firms to submit written proposals to provide General Counsel legal services.

Maryann Cella read a statement from Ray Brant expressing her same sentiment.

Jeff Eorio reinforced the importance of a District records retention policy and the digitalization of its records. Jeff asked the Board to reconsider the County proposed 3-foot setback requirement for fences and walls from the roads' edge in Diablo.

**CLOSED SESSION:**

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

**RECONVENE IN OPEN SESSION:**

President Urbelis stated that there were no reportable actions.

**BOARD/STAFF COMMUNICATION AND ACTIONS:**

**ADMINISTRATIVE:**

President Urbelis stated that the Board performed an exhaustive General Counsel search last summer and selected the law firm Best, Best & Krieger LLC to represent the District. Martin de Los Angeles was identified as lead counsel and Zach Scalzo as backup counsel at the signing of the contract. Martin resigned from Best, Best & Krieger earlier this month and Zach has agreed to provide general counsel services to the District. *Since there is no change to the Best, Best & Krieger contract no Board action needs to be taken.*

At the end of the contract's first year, which is September, the Board will review the Best, Best & Krieger contract and evaluate the services provided the past year. To date the Board is very happy with the support and depth of legal expertise provided by Best, Best & Krieger.

**ROADS:**

On motion by Director Lorenz and second by President Urbelis, Director Cox and General Manager Torru were authorized to negotiate a contract with contractor GJR Development and biologist Jeff Olberding for the Dan Cook Creek channel mitigation project at a cost not to exceed \$32,000. Motion passed 5-0.

On motion by Director Lorenz and second by Director Cox, Director Cox and General Manager Torru were authorized to negotiate contracts with ENGEO and Drill Tech for the redesign of the 2121 Alameda Diablo permanent creek bank repair at a cost not to exceed \$7,500. Motion passed 5-0.

**CALL OF NEXT MEETING/ADJOURNMENT:**

President Urbelis called the next meeting for August 12, 2024 at 6:00 pm at Diablo Country Club. There being no further business, the meeting was adjourned at 6:37 p.m.

Diablo Community Services District by

Kathy Torru, General Manager