

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS SPECIAL (TOWN-HALL) MEETING
MINUTES
BALLROOM, DIABLO COUNTRY CLUB
July 24, 2018 7:30 pm**

CALL TO ORDER: President Ray Brant called the meeting to order at 7:30 p.m.
ROLL CALL: Secretary Kathy Torru called the roll as follows:

Directors present: Brant, Torru, Urbelis, Langon, Watson
Directors absent: None

WELCOME AND OPENING STATEMENT: Director Brant welcomed the 100 members of the public, introduced the Board and invited the public to provide feedback, questions and comments on the Ordinance Code, the subject of this Special Meeting.

Director Watson stated that the meeting would be confined to the Ordinance Code and that an update on the lawsuit will be provided at the DCSD August 14 Board meeting and in the summer edition of the *Devil's Advocate*. Director Watson then provided an overview of the night's agenda.

PROCEDURES FOR ADOPTING THE ORDINANCE CODE: Director Torru provided an overview of the District's history, including the District's powers authorized by the 1969 Formation Document and California State law; Board responsibility to adopt an Ordinance Code in conformance with the DCSD Formation Document; overview of the Ordinance Code adoption procedure as required by California state law. Director Torru also presented the history of the project resulting in the proposed Ordinance Code: November 2017 first reading of the updated code; Dick Breitweiser retires as Board counsel and Christie Crowl is hired; proposed Ordinance Code is reviewed by new counsel; revised version is proposed at May 2018 meeting as a first reading; Board decided, based on public comment at May meeting, to hold this Town Hall to receive comments from the public on the proposed Ordinance Code.

OVERVIEW OF THE 2018 PROPOSED ORDINANCE CODE: Director Urbelis walked the audience through the proposed ordinance code chapter by chapter highlighting the proposed changes.

QUESTIONS AND COMMENTS: A large number of residents commented on the "private nature" of Diablo's roads and expressed concern about the impact of the proposed Ordinance Code changes on the classification of the roads. The Board explained that the roads are privately owned by the adjacent property owners but that according to the 1969 Formation Document these private roads are subject to a right-of-way reserved to the public. Neither the Board, nor the residents of Diablo, nor the Ordinance Code can change that classification. A lengthy discussion ensued about the definition and interpretation of the phrases "public benefit" and "public right-of-way."

Residents expressed concern about changes to the 1993 Ordinance Code, in particular the removal of section 5-2-202, which limits access to Diablo's roads, and requested that any changes to that section be delayed until the lawsuit is resolved and more input is received from residents.

DISCUSSION OF NEXT STEPS: The first reading of the amended Ordinance Code is scheduled for the September DCSD Board meeting but a timeline update will be provided at the August Board meeting.

CALL OF NEXT MEETING/ADJOURNMENT:

The President called the next meeting for August 14, 2018. There being no further business, the President adjourned the meeting at 9:58 pm

Diablo Community Services District by

Kathy Torru, Secretary