

**DIABLO COMMUNITY SERVICE DISTRICT
PO BOX 321
DIABLO CA 94528
MINUTES
BOARD OF DIRECTORS
DIABLO COUNTRY CLUB
June 9, 2015, 7:30 p.m.**

CALL TO ORDER: The President called the meeting to order at 7:30 p.m.

ROLL CALL: The Secretary called the roll as follows:

Directors Present: BRANT, TORRU, HOFFMAN, MINI, CHOW
Directors Absent: None

COMMENTS FROM THE AUDIENCE:

Robert Tiernan presented a three page Draft entitled SUMMARY OF LEGAL ARGUMENTS AS TO WHY DIABLO'S ROADS ARE PRIVATE AND HAVE ALWAYS BEEN SO. Mr. Tiernan stated that he had other evidence to establish that the Roads in Diablo are private but declined to present that evidence to the Board. Mr. Tiernan asked the Board to seek a third legal opinion regarding the right of the public to use Diablo Roads.

Some members of the audience opposed the use of DCSD funds for this purpose

Members of the Audience spoke to improving the Bicycle Education Program

After some discussion, the president dissolved, effective immediately, the committee he had established at the January 2015 meeting to evaluate the various legal opinions and options available to DCSD regarding the above issues.

Members of the audience suggested that the Board take no further action regarding the status of Diablo Roads and continue the status quo.

There being no further comments from the audience, the president stated that the portion of the meeting inviting comments from the audience is closed.

APPROVAL OF MINUTES: On motion of Director Hoffman, second by Director Torru, the Minutes of the Regular Meeting held on May 12, 2015 were unanimously approved.

ACTION ITEM: Resolution 2015 - 1 passed on March 10, 2015 provided generally The Diablo Community Service District Board of Directors will not take any action to restrict access to Diablo without first notifying the residence and providing a town hall forum for residents to comment on the action being considered, except for special events and emergencies which would only require notification of residents. The Board will discuss and may act to have a supplemental resolution to provide that no action to restrict access will be considered and a Town Hall meeting will not be called unless a petition, signed by the number of adult residents equal to

15% of the improved parcels on the most recent tax rolls of Diablo requesting restricted access to Diablo roads is presented to this Board. Thus if there were 400 improved parcels on the tax rolls, it would require a petition signed by 60 persons (15% of 400 = 60).

At the request of Director Torru, this item is continued to the July meeting.

REPORTS.

DPOA DANA PINGATORE Reported that:

1. DPOA is having difficulty to muster a quorum;
2. DPOA will not participate in the Bicycle Education Committee;
3. DPOA will narrow its scope and will host one party a year

DIABLO COUNTRY CLUB: No report

CONTRA COSTA COUNTY: ALICIA NUCHOLS reported that the Board of Supervisors has passed a balanced budget.

SECURITY: DEPUTY SHERIFF DAN BUERGI:

1. Reported there is an increase in “surprising” events in the county. A gas line was vandalized recently and more recently an AT&T tower was put out of commission. It appears to be more than mere vandalism.
2. Advised the residents to be careful and cautious because school is out.
3. Advised residents that there is an increase in unleashed pets which can create a dangerous condition on our narrow roads.

ROADS, BRIDGES & CULVERTS: DIRECTORS HOFFMAN/MINI

1. **ACTION ITEM:** Discussion and Establish weight and length limits for trucks on Diablo and to post those limitations at the three entrances to Diablo.

Continued to next meeting.

2. Approve application to San Ramon Fire Protection District to modify speed humps to comply with Fire District Ordinance.

Director Hoffman reported that the application to San Ramon Fire Protection District to modify speed humps to comply with Fire District Ordinance has been filed.

FINANCIAL REPORT: DIRECTOR TORRU Reported:

1. After paying current bills, we have about \$860,000 on hand
2. The audit report for 2014-15 has been received and no major items have been reported by the auditor

ADJOURNMENT/ NEXT MEETING – The president called the next meeting for July 14, 2015. There being no further business, the meeting was adjourned at 8:25 p.m.

Diablo Community Service District
By

Richard J. Breitwieser, Secretary

Diablo Community Service District
Profit and Loss Statement
11 months ended May 31, 2015

	July	August	September	October	November	December	January	February	March	April	May	YTD	Prior YTD	Budget
<i>Income</i>														
Ad Valorem Taxes	\$0	\$0	\$0	\$0	\$11,273	\$189,956	\$0	\$668	\$0	\$136,257	\$0	\$338,154	\$305,023	\$313,500
Road & Security Fees	0	0	0	0	0	124,153	0	0	0	90,293	0	214,446	308,674	207,487
Traffic Fines	84	239	21	39	0	1,089	449	0	58	243	0	2,222	6,213	4,400
Interest Income	21	21	19	20	17	9	6	5	6	6	6	136	235	138
Total Income	105	260	40	59	11,290	315,207	455	673	64	226,799	6	554,958	620,145	525,525
<i>Expenses</i>														
Sheriff Security	27,450	27,750	30,364	28,475	23,138	28,122	24,709	28,392	27,750	25,933	27,750	299,833	281,473	305,250
Auto Repairs	196	0	0	49	0	0	0	67	0	0	50	362	4,352	2,500
Cell Phone	0	0	0	0	200	0	0	0	0	0	200	400	300	400
Other	0	0	0	0	0	0	0	0	0	0	0	0	9	61,800
Road Maintenance	0	552	8,479	85,800	496,405	16,070	2,246	0	1,800	571	0	611,923	298,402	575,000
Bridge Maintenance	0	0	22,279	39,000	0	0	0	0	0	0	0	61,279	0	88,000
Bridge/Culvert Engineering	0	0	0	0	0	0	0	0	0	0	0	0	975	10,000
Storm Drain Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	1,769	12,000
Tree, Bush and Weed Trimming	0	0	0	0	0	0	1,164	0	-1,164	0	0	0	9,900	5,000
Gardener	0	0	0	800	0	0	0	240	0	0	0	1,040	900	1,100
Trail and Creek Maintenance	0	0	0	0	0	0	0	0	0	4,500	0	4,500	4,929	5,000
Entrance & Island Maint	0	0	0	0	6,000	0	0	0	0	0	0	6,000	0	0
General Manager	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	1,750	19,250	19,250	19,250
Legal Retainer	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	1,850	20,350	20,350	20,350
Records Storage	0	0	0	0	0	0	0	1,128	0	0	0	1,128	1,128	1,150
Audit	0	0	0	0	0	0	2,500	0	0	0	0	2,500	5,500	8,500
Legal Notices and Fees	0	0	0	0	0	1,500	0	0	0	0	0	1,500	42	475
Assessors Roll/County Fees	0	0	54	0	0	0	0	757	0	0	0	811	0	375
Insur Director and Officers	0	0	0	0	0	0	8,889	0	0	0	0	8,889	8,421	8,500
Insur Commercial and Auto	0	0	0	3,552	0	0	0	0	0	0	0	3,552	3,444	3,500
Insur Excess General Liability	0	0	0	4,125	0	0	0	0	0	0	0	4,125	4,125	4,150
DMAC Operating Expenses	0	0	0	92	0	0	0	0	0	0	0	92	148	125
Administrative	5	66	-2	6	56	40	5	82	106	10	264	638	576	750
Depreciation Expense	132	132	132	132	132	132	132	132	132	132	132	1,452	6,996	5,697
Miscellaneous	0	0	0	0	0	1,971	288	98	0	0	0	2,357	5,638	3,400
Total Expenses	31,383	32,100	64,906	165,631	529,531	51,435	43,533	34,496	32,224	34,746	31,996	1,051,981	678,627	1,142,272
Net Income	-31,278	-31,840	-64,866	-165,572	-518,241	263,772	-43,078	-33,823	-32,160	192,053	-31,990	-497,023	-58,482	-616,747

Diablo Community Service District
Balance Sheet
May 31, 2015

	July	August	September	October	November	December	January	February	March	April	May
ASSETS											
Current Assets											
Wells Fargo Checking Acct	\$475,461	\$496,655	\$427,102	\$299,603	\$530,081	\$548,741	\$488,562	\$484,364	\$447,450	\$638,548	\$606,129
Wells Fargo Money Market 2	830,645	780,665	780,685	780,705	480,721	230,730	230,736	230,741	230,747	230,753	230,759
Accounts Receivable	0	0	0	1,143	1,143	1,143	1,143	0	0	0	0
Total Current Assets	1,306,106	1,277,320	1,207,787	1,081,451	1,011,945	780,614	720,441	715,105	678,197	869,301	836,888
Property and Equipment											
Computer Equip	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917	5,917
Automobile	63,610	63,610	63,610	63,610	63,610	63,610	63,610	63,610	63,610	63,610	63,610
Accumulated Depreciation	-65,316	-65,448	-65,579	-65,711	-65,842	-65,974	-66,106	-66,237	-66,369	-66,500	-66,632
Total Property and Equipment	4,211	4,079	3,948	3,816	3,685	3,553	3,421	3,290	3,158	3,027	2,895
Other Assets											
Automobile Sinking Fund	62,833	62,833	62,833	62,833	62,833	62,833	62,833	62,833	62,833	62,833	62,833
Bridge Sinking Fund	65,000	70,000	75,000	80,000	85,000	90,000	95,000	100,000	105,000	110,000	115,000
Total Other Assets	127,833	132,833	137,833	142,833	147,833	152,833	157,833	162,833	167,833	172,833	177,833
Total Assets	1,438,150	1,414,232	1,349,568	1,228,100	1,163,463	937,000	881,695	881,228	849,188	1,045,161	1,017,616
LIABILITIES AND CAPITAL											
Current Liabilities											
Accounts Payable*	59,990	62,914	58,114	97,518	550,734	50,888	33,659	62,181	57,135	56,054	55,500
Accrued Expenses	300	300	300	0	0	0	0	0	0	0	0
Total Current Liabilities	60,290	63,214	58,414	97,518	550,734	50,888	33,659	62,181	57,135	56,054	55,500
Long-Term Liabilities											
Other Liabilities	127,833	132,833	137,833	142,833	147,833	152,833	157,833	162,833	167,833	172,833	177,833
Total Long-Term Liabilities	127,833	132,833	137,833	142,833	147,833	152,833	157,833	162,833	167,833	172,833	177,833
Total Liabilities	188,123	196,047	196,247	240,351	698,567	203,721	191,492	225,014	224,968	228,887	233,333
Capital											
Opening Balance Equity	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979	1,239,979
Retained Earnings	41,324	41,324	41,324	41,324	41,324	41,324	41,324	41,324	41,324	41,324	41,324
Net Income	-31,278	-63,117	-127,983	-293,555	-816,408	-548,025	-591,102	-625,089	-657,082	-465,030	-497,020
Total Capital	1,250,025	1,218,186	1,153,320	987,748	464,895	733,278	690,201	656,214	624,221	816,273	784,283
Total Liabilities & Capital	1,438,148	1,414,233	1,349,567	1,228,099	1,163,462	936,999	881,693	881,228	849,189	1,045,160	1,017,616

Diablo Community Service District
Cash Flow Statement
11 months ended May 31, 2015

	July	August	September	October	November	December	January	February	March	April	May	Year to Date
<i>Cash Flows from operating activities</i>												
Net Income	\$ (31,278)	\$ (31,840)	\$ (64,866)	\$ (165,572)	\$ (518,241)	\$ 263,772	\$ (43,078)	\$ (33,823)	\$ (32,160)	\$ 192,053	\$ (31,990)	\$ (497,023)
Adjustments to reconcile net income to net cash provided by operating activities												
Accumulated Depreciation	132	132	132	132	132	132	132	132	132	132	132	1,447
Accounts Receivable				-1,143				1,143				-0
Accounts Payable	27,646	2,923	-4,800	39,404	448,604	-495,234	-17,229	28,356	-4,880	-1,080	-554	23,155
Accrued Expenses	0	0		-300								-300
Total Adjustments	27,777	3,055	-4,669	38,093	448,736	-495,102	-17,097	29,630	-4,749	-949	-423	24,303
Net Cash provided by Operations	-3,501	-28,785	-69,535	-127,479	-69,505	-231,330	-60,175	-4,193	-36,909	191,104	-32,413	-472,720
<i>Cash Flows from investing activities</i>												
Used For												
Automobile Sinking Fund												0
Bridge Sinking Fund	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-60,000
Net cash used in investing	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-5,000	-60,000
<i>Cash Flows from financing activities</i>												
Proceeds From												
Other Liabilities	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	60,000
Used For												
Net cash used in financing	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000	60,000
Net increase <decrease> in cash	-3,501	-28,785	-69,535	-127,479	-69,505	-231,330	-60,175	-4,193	-36,909	191,104	-32,413	-472,720
<i>Summary</i>												
Cash Balance at End of Period	1,306,106	1,277,320	1,207,787	1,080,308	1,010,802	779,471	719,298	715,105	678,197	869,301	836,888	836,888
Cash Balance at Beg of Period	-1,309,606	-1,306,106	-1,277,320	-1,207,787	-1,080,308	-1,010,802	-779,471	-719,298	-715,105	-678,197	-869,301	-1,309,606
Net Increase <Decrease> in Cash	\$ (3,500)	\$ (28,786)	\$ (69,533)	\$ (127,479)	\$ (69,506)	\$ (231,331)	\$ (60,173)	\$ (4,193)	\$ (36,908)	\$ 191,104	\$ (32,413)	\$ (472,718)