

**DIABLO COMMUNITY SERVICE DISTRICT
PO BOX 321
DIABLO CA 94528
MINUTES
BOARD OF DIRECTORS
DIABLO ROOM DIABLO COUNTRY CLUB
January 13, 2015 at 7:30 p.m.**

CALL TO ORDER: Chair person Ray Brant called the Meeting to order at 7:30 p.m. The Secretary called the roll as follows:

Directors Present: BRANT, TORRU, HOFFMAN, MINI, CHOW
Director absent: None

AGENDA ITEMS:

SPECIAL ITEM: The Chairperson called for a moment of silence in memory of Taryn Sievers.

SPECIAL ITEM: Chair Person Ray Brant welcomed Vince Chow, as the new director.

ACTION ITEM: Election of Officers:

On motion of Director Torru, second by Director Mini, Ray Brant was unanimously elected as president.

On motion of Director Hoffman, second by Director Mini, Vince Chow was unanimously elected as Vice-President.

ACTION ITEM: Appoint Commissioners

President Brant appointed the following directors to the indicated commissions:

Security:	Ray Brant
Budget & Finance:	KathyTorru
Roads Culverts & Bridges:	Don Hoffman & Jeff Mini.
Community Relations:	Vince Chow
By Laws:	Vince Chow

ACTION ITEM: Approve CONSENT CALENDAR as follows:

On motion of Director Mini, Second by Director Hoffman, the following items in the consent calendar were unanimously approved:

1. Minutes of meeting held on November 11, 2014,

Minutes of meeting held on November 20, 2014
Minutes of meeting held on December 9, 2014,
Minutes of meeting held on December 16, 2014

2. Richard J. Breitwieser was appointed Secretary Treasurer, and General Manager, as independent contractor. at \$3600 per month.

COMMENTS FROM THE AUDIENCE:

ACTION ITEM: Should DCSD send a letter to LAFCO opposing its consideration of SummerHill Homes annexation application into Central Contra Costa County Sanitary District instead of EBMUD?

Mariann Cella, proponent of this item requested that it be taken off calendar. The president agreed and ordered that no action be taken on this item.

ACTION ITEM: Should DCSD request Contra Costa County to establish a Diablo Road Bicyclist Safety Task Force?

On motion of director Hoffman, second by Director Mini, it was unanimously passed that DCSD direct a letter to Supervisors Piepho and Anderson in form and content as provided by Ms. Cella at the meeting with a revision on page two to show specific data and source of the number of cyclists who use South Gate entrance to Mt. Diablo State Park.

REPORTS.

DPOA.

1. Report on status of design of plaque naming the Caballo Ranchero Bridge as the Jim Stone Memorial Bridge.

Director Hoffman stated that the plaque honoring Jim Stone to be placed on the Caballo Ranchero Bridge should constructed so that it can be removed during times when the bridge is under repair. He also stated that there should be two plaques, one to be placed on each end of the bridge.

DIABLO COUNTRY CLUB:

1. The general Manager reported that the Diablo Country Club will withhold payment of their share of the construction costs of the east entry sign until the owner of the property grants rights to retain the entry sign permanently.

5. ACTION ITEM: What action if any should this board take regarding:

- a. Decide if the roads in Diablo are subject to a right of way in the public
- b. The past vote by the DCSD to not allow "cut through" traffic on Calle Arroyo" and the posting of a sign(s) to reflect that vote and to hire a private patrol to enforce the no cut through provision. The General Manager shall provide Director Mini with the past minutes to verify the "cut through" wording.
- c. The alleged increasing use of Calle Arroyo by non-resident bikes, and the alleged forecasted estimate increase of bikes using Calle Arroyo on way to Mt. Diablo State Park
- d. The "Private Nature" of our roads.

Richard J. Breitwieser, attorney for DCSD presented his opinions regarding the law permitting the above. After some discussion, President Brant appointed a committee composed of Director Mini, Director Chow, and a representative of DPOA to be nominated by DPOA. The purpose of the committee is to evaluate the various legal opinions and options available to DCSD regarding the above issues.

The board discussed various options available to control traffic on Calle Arroyo at the Snack Shack and at the employees parking lot on the east end of Calle Arroyo. It was noted that the California Vehicle Code requires a certain road width as a condition to striping the center of the road into two lanes.

ROADS BRIDGES & CULVERTS:

DIRECTOR HOFFMAN

- Roads.
- 1. Report on status of placement of survey markers on Diablo

Director Hoffman reported that the placement of the survey markers on Diablo Roads is complete and therefore, the "Chrisp Company" bill should be paid and repayment should be requested from Contra Cost County.

- 2. Report on survey of equestrian/pedestrian path between Alameda Diablo and Mt. Diablo Scenic Blvd.

Director Hoffman reported that the survey showing location of the trail has been located and that it is necessary to place survey markers on the ground to show the actual location of the trail on the ground. Director Hoffman will get a cost estimate to mark the location of the trail.

3. Report on design of trash rack on creek at Calle Arroyo and Canada Via intersection.

The general manager was directed to provide a copy of the trash rack design to the Diablo Country Club for implementation. The Diablo Country Club shall pay the cost of fabrication and installation of the trash rack

4. Report on status of Agreement with MCE for costs and payment of emergency work such as cleaning of culverts during and after rainy season.

The general manager reported that MCE will provide a current schedule of their hourly rates and will incorporate those rates into an agreement for MCE to provide this service.

5. **ACTION ITEM:** Should DCSD set the maximum height of speed humps and modify those that do not meet the proper height.

Director Hoffman reported that he had obtained the template approved by the Fire Dept. for speed humps and that the templates will be used for speed hump construction in the future. Also, there are four or five speed humps that will be modified to reduce their effective height.

6. **ACTION ITEM.** Discussion and action on billing procedure when DCSD expends money to remove a downed tree which has fallen from private property.

The General Manager was directed to have MCE bill DCSD for the removal of any downed tree which has fallen from private property onto a road and DCSD will bill the property owner for that cost. The General Manager shall cause a notice to be published in the Devil's Advocate to explain this policy.

FINANCIAL REPORT:

DIRECTOR TORRU

1. Receive Financial Report for months of November and December, 2014.

Director Torru presented the financial reports for the months of November and December.

2. Request that all directors start their budget requests for FY 2015 – 16

The president and Director Torru requested all directors to prepare their cost estimates so that the initial budget can be considered and passed at the May meeting.

ADJOURNMENT

There being no further business, the president adjourned the meeting at 9:45 p.m.

NEXT MEETING

The President called the next meeting for February 11, 2015

Diablo Community Service District
by

Richard J. Breitwieser, Secretary

Diablo Community Service District
Profit and Loss Statement
6 months ended December 31, 2014

	July	August	September	October	November	December	YTD	Prior YTD	Budget
<i>Income</i>									
Ad Valorem Taxes	\$0	\$0	\$0	\$0	\$11,273	\$189,956	\$201,229	\$181,933	\$181,500
Road & Security Fees					0	124,153	124,153	178,706	120,124
Traffic Fines	84	239	21	39	0	1,089	1,472	2,624	2,400
Interest Income	21	21	19	20	17	9	107	143	75
Total Income	105	260	40	59	11,290	315,207	326,961	363,406	304,099
<i>Expenses</i>									
Sheriff Security	27,450	27,750	30,364	28,475	23,138	28,122	165,299	157,521	166,500
Auto Repairs	196						196	4,261	2,500
Cell Phone					200		200		200
Other							0	9	61,550
Road Maintenance		552	8,479	85,800	496,405	16,070	607,306	290,503	565,000
Bridge Maintenance			22,279	39,000			61,279		88,000
Bridge/Culvert Engineering							0	975	10,000
Storm Drain Maintenance							0		10,000
Tree, Bush and Weed Trimming							0	1,613	2,500
Gardener				800			800	500	600
Trail and Creek Maintenance				0			0		2,500
Entrance & Island Maint					6,000		6,000		
General Manager	1,750	1,750	1,750	1,750	1,750	1,750	10,500	10,500	10,500
Legal Retainer	1,850	1,850	1,850	1,850	1,850	1,850	11,100	11,100	11,100
Records Storage							0		
Audit							0		
Legal Notices and Fees						1,500	1,500	42	100
Assessors Roll			54				54		375
Insur Director and Officers							0	8,421	8,500
Insur Commercial and Auto				3,552			3,552	3,444	3,500
Insur Excess General Liability				4,125			4,125	4,125	4,150
DMAC Operating Expenses				92			92	148	125
Administrative	5	66	-2	6	56	40	171	548	500
Depreciation Expense	132	132	132	132	132	132	792	6,492	790
Miscellaneous				49		1,971	2,020	5,425	250
Total Expenses	31,383	32,100	64,906	165,631	529,531	51,435	874,986	505,627	949,240
Net Income	-31,278	-31,840	-64,866	-165,572	-518,241	263,772	-548,025	-142,221	-645,141

Diablo Community Service District

Balance Sheet

December 31, 2014

	July	August	September	October	November	December
ASSETS						
Current Assets						
Wells Fargo Checking Acct	\$475,461	\$496,655	\$427,102	\$299,603	\$530,081	\$548,741
Wells Fargo Money Market 2	830,645	780,665	780,685	780,705	480,721	230,730
Accounts Receivable	0	0	0	1,143	1,143	1,143
Total Current Assets	1,306,106	1,277,320	1,207,787	1,081,451	1,011,945	780,614
Property and Equipment						
Computer Equip	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
Accumulated Depreciation	-65,316	-65,448	-65,579	-65,711	-65,842	-65,974
Total Property and Equipment	4,211	4,079	3,948	3,816	3,685	3,553
Other Assets						
Automobile Sinking Fund	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
Total Other Assets	127,833	132,833	137,833	142,833	147,833	152,833
Total Assets	1,438,150	1,414,232	1,349,568	1,228,100	1,163,463	937,000
LIABILITIES AND CAPITAL						
Current Liabilities						
Accounts Payable*	59,990	62,914	58,114	97,518	550,734	50,888
Accrued Expenses	300	300	300	0	0	0
Total Current Liabilities	60,290	63,214	58,414	97,518	550,734	50,888
Long-Term Liabilities						
Other Liabilities	127,833	132,833	137,833	142,833	147,833	152,833
Total Long-Term Liabilities	127,833	132,833	137,833	142,833	147,833	152,833
Total Liabilities	188,123	196,047	196,247	240,351	698,567	203,721
Capital						
Opening Balance Equity	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
Net Income	-31,278	-63,117	-127,983	-293,555	-816,408	-548,025
Total Capital	1,250,025	1,218,186	1,153,320	987,748	464,895	733,278
Total Liabilities & Capital	1,438,148	1,414,233	1,349,567	1,228,099	1,163,462	936,999

Diablo Community Service District
Cash Flow Statement
6 months ended December 31, 2014

	July	August	September	October	November	December	Year to Date
<i>Cash Flows from operating activities</i>							
Net Income	\$ (31,278)	\$ (31,840)	\$ (64,866)	\$ (165,572)	\$ (518,241)	\$ 263,772	\$ (548,025)
Adjustments to reconcile net income to net cash provided by operating activities							
Accumulated Depreciation	132	132	132	132	132	132	792
Accounts Receivable				-1,143			-1,143
Accounts Payable	27,646	2,923	-4,800	39,404	448,604	-495,234	18,543
Accrued Expenses	0	0		-300			-300
Total Adjustments	27,778	3,055	-4,668	38,094	448,736	-495,102	17,893
Net Cash provided by Operations	-3,500	-28,785	-69,534	-127,478	-69,505	-231,330	-530,133
<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	-60,000
Net cash used in investing	-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	60,000
Used For							
Net cash used in financing	5,000	5,000	5,000	5,000	5,000	5,000	60,000
Net increase <decrease> in cash	-3,500	-28,785	-69,534	-127,478	-69,505	-231,330	-530,133
<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	779,471
Cash Balance at Beg of Period	-1,309,606	-1,306,106	-1,277,320	-1,207,787	-1,080,308	-1,010,802	-1,309,606
Net Increase <Decrease> in Cash	\$ (3,500)	\$ (28,786)	\$ (69,533)	\$ (127,479)	\$ (69,506)	\$ (231,331)	\$ (530,135)