

**DIABLO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES
TELECONFERENCE VIA THE APPLICATION ZOOM
SEPTEMBER 14, 2021, 7:30 p.m.**

CALL TO ORDER: President Kathy Urbelis called the meeting to order at 7:30 p.m.
ROLL CALL: Secretary Jeff Eorio called the roll as follows:

Directors present: Urbelis, Becker, Eorio, Isom*, Cox
Directors absent: None

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

BOARD/STAFF COMMUNICATION AND ACTIONS:

ADMINISTRATIVE:

Director Leonard Becker proposed a motion to continue discussion of the proposed 2021 DCSD Ordinance Code, which is a replacement of the 1993 Ordinance Code, to allow an ad hoc committee to be formed with President Urbelis' approval, to be comprised of two Directors, Leonard Becker, as Chair, and Matthew Cox; and two resident lawyers David Birka-White and Maryann Cella. The committee would discuss whether sections of the 1993 Code should be retained in light of the fact that the Cervantes lawsuit is still pending. Director Becker will present the committee's recommendations to the Board after review by General Counsel and potentially introduce a revised version of the proposed 2021 DCSD Ordinance. Director Becker will provide the Board with updates of the committee's progress at future board meetings.

On motion by Director Becker, second by Director Urbelis, the above motion was unanimously approved.

Ayes: Urbelis, Becker, Eorio, Isom, Cox
Noes: None
Abstentions: None
Absent: None

PUBLIC COMMENTS:

Tony Geisler stated that he agreed with the bifurcation of the ordinance code process. Tony stated that attempts at mediation between the parties of the cut through litigation failed and that trial is set for April 2022.

Maryann Cella announced that she was happy to serve on the ordinance code ad hoc committee and that she does not support any changes to the ordinance code that relate to the cut through litigation until the litigation is resolved.

Alan Bonny commended Director Becker for forming the ordinance code ad hoc committee and endorses deferring the process until litigation is resolved.

*Director Isom joined the meeting at 7:46 pm.

ROADS:

Director Cox reported that the slurry seal project is finished and that there are a few issues with the quality of the road surface on El Nido that Dryco is working to resolve.

SECURITY:

Deputy Buergi reported there was one incident of car vandalism on Diablo Lakes in August.

Deputy Buergi has been monitoring the bus stops in the morning to ensure that vehicles are not passing or attempting to pass the school buses while they load children. No violations have been observed.

Deputy Buergi, with the permission of President Urbelis, has enrolled in a two-week Critical Incident Management class offered by the sheriff’s department to train deputies in front line critical incident response protocols. The training is focused on the first 30-60 minutes of a critical incident, before a central command post is established. Deputy Buergi thanked Director Urbelis for allowing him to participate in the training.

Deputy Buergi reported that he attended the Fire Safety and Evacuation meeting held at Diablo Country Club last month and that the most important piece of information that residents should take away from that meeting is the importance of educating yourself and preparing an evacuation plan should you be instructed to evacuate. The Fall 2021 Devil’s Advocate includes a detailed article on what it means to be educated and prepared.

Deputy Buergi commented that the Sheriff’s department continues to have staffing issues which impacts the District’s ability to staff overtime patrols.

CONSENT CALENDAR:

On motion of Director Eorio, second by Director Urbelis, the minutes of the August 10, 2021, meeting were approved.

Ayes:	Urbelis, Becker, Eorio, Isom, Cox
Noes:	None
Abstentions:	None
Absent:	None

REPORTS:

CONTRA COSTA COUNTY: Alicia Nuchols, District Representative for CCC Supervisor Diane Burgis, provided the Board with a COVID update; Covid cases have stabilized in the last week and Diablo has reported a total of 48 positive COVID cases, with 14 in the last two weeks.

The County adopted a new health order today that requires proof of vaccination or a negative COVID test in the last 3 days to enter all indoor dining establishments, bars, and exercise facilities. The new health order takes effect September 22nd.

DIABLO PROPERTY OWNERS REPORT: No Report

DIABLO COUNTRY CLUB: Hank Salvo, Diablo Country Club liaison, reported that the Club has a Board of Directors opening and that all interested candidates must apply by September 27th.

CALL OF NEXT MEETING/ADJOURNMENT:

The President called the next meeting for October 12, 2021. The meeting will be conducted via Zoom with an in-person option in the Diablo Room of the Diablo Country Club. There being no further business, the President adjourned the meeting at 8:17 p.m.

Diablo Community Services District by

Kathy Torru, General Manager