

**DIABLO MUNICIPAL ADVISORY COUNCIL  
BOARD OF DIRECTORS  
MINUTES  
TELECONFERENCE VIA THE APPLICATION ZOOM  
MONDAY, JULY 13, 2020 6:00 p.m.**

**CALL TO ORDER:** President Ray Brant called the meeting to order at 6:00 p.m.

**ROLL CALL:** Secretary Jeff Eorio called the roll as follows:

**Directors present:** Brant, Urbelis, Becker, Eorio, Isom

**Directors absent:**

Director Brant welcomed Directors and the general public and stated that in response to the Governor's Executive Order N-33-20 the District would be using teleconferencing (via Zoom) to conduct the Regular Board Meeting.

Director Brant clarified for the audience the duties and responsibilities of the DCSD and DMAC. The DCSD was granted the following limited powers by LAFCO and the Contra Costa County Board of Supervisors.

- Provide Security within Diablo, which is contracted through the Contra Costa County Sheriff Department.
- Maintain Diablo Roads and Bridges, and Culverts that are directly under the roads.
- Maintain Kay's Trail.

The DMAC is authorized by the Contra Costa Board of Supervisors to make recommendations on Diablo land use issues when requested by the County or adjacent neighbors.

**COMMENTS FROM THE AUDIENCE:** None

**ACTION ITEM: \***

Director Brant walked the Directors and members of the audience through the eight questions and answers identified in Exhibit A of the meeting agenda concerning the permit request for the removal of 9 oak trees and the construction of a water detention basin on the Scarpelli property, located at the corners of La Cadena, Avenida Nueva and Calle Los Callados. Jeff Stone, developer, and Todd Vitzthum, neighbor and individual with an option to financially participate in the project, answered questions from Directors and provided clarification where needed.

By a unanimous vote, DMAC instructed the General Manager to provide the following comments to the Contra Costa County Department of Conservation and Development concerning the permit request for the removal of 9 oak trees and the construction of a water detention basin (County Files #CV19-0107 & TP19-0058) on the Scarpelli property:

- DMAC requests that a video of all existing drainage pipes between the water detention basin site and the East Branch of the Green Valley Creek be videotaped and reviewed by the County engineer before the tie in of the drainage improvements is approved.
- DMAC requests that as a condition of approval, an arborist, preferably Bob Peralta with BrightView who has already been working on the site for the developer, be on site when the developer is working under the dripline of any oak tree on the property.
- DMAC requests that the developer allow DMAC a courtesy review of the final site plan showing the impact of the three new homes and hardscape on the existing oak trees prior to County approval.

**CALL OF NEXT MEETING/ADJOURNMENT:**

The President called the next meeting for August 11<sup>th</sup> .

The format of the next meeting is unknown at this time so please check the website for updates. There being no further business, the President adjourned the meeting at 7:00 p.m.

Diablo Community Services District by

Kathy Torru, General Manager

**\*Subsequent Events:**

DMAC comment letter to County was modified to include a new third comment (above third comment changed to fourth)

- DMAC requests that the Parcel A deed disclosure be modified to include “Failure to properly maintain the proposed water detention basin may result in punitive fines levied by either the County or District until compliance is achieved.”

The County Zoning Administrator approved the drainage and tree removal permits at the July 20<sup>th</sup> 2020 public hearing subject to the following modifications:

- The Heritage Oak on Parcel C must be clearly identified and protected
- All trees being removed and preserved must be clearly labeled
- The Heritage Oak on Parcel C must be reviewed by an arborist before and after work is performed
- No variances are approved with this permit. Any future variance requests will require a public hearing.
- DMAC comment 1 (drainage video) was accepted
- DMAC comment 2 (arborist on site) was accepted for the purpose of preserving trees.
- DMAC comment 3 (deed amendment) was accepted but modified to reflect a fine by Vector Control, not County.
- DMAC comment 4 (DMAC review of final site plan) was accepted
- Accept the hydraulic (water flow calculations) process as is, but requests that a copy of the final hydraulic report be shared with Maryann Cella.