

sons **Matt and Greg** at his side. Born in Fargo, North Dakota in 1937, Jack graduated from the University of North Dakota and went on to attend dental school at the University of Minnesota, earning his doctorate of Dental Science in 1962. Jack enlisted in the army following dental school, and with Beverly, moved to Paris where the two started their family. His life in Europe started a lifelong passion for travel, photography, and automobiles. Returning to the US, Jack completed the Oral Surgery Residency program at Highland Hospital in Oakland in 1971. An avid skier

and tennis player, Jack and Bev resided in Diablo for 45 years.

**Kendall Sarah Stevens**, daughter of **Deborah and Ken**, was a December 2017 graduate of the Executive MBA program at Pepperdine University. Kendall was inducted into Beta Gamma Sigma as a graduate in the top 1% of her class.

**Leslie and Justin Keane** are delighted to announce the birth of **Ivy Clementine Harris-Keane**, born on October 19, 2017, and weighing six pounds, two ounces. Big sister **Ava** and big brother **Max** are thrilled, as well.

### If you like receiving this newsletter, please join DPOA!

Your nominal \$125 annual donation supports a range of community enhancing activities all year long, including this quarterly newsletter! Over half of your neighbors have already joined. Print a membership form at [www.diablopoa.org](http://www.diablopoa.org) or pick up a form at the Post Office in the DPOA display box.

### NEIGHBORHOOD SOCIAL NETWORK

Join our private neighborhood social network at [www.diablo.nextdoor.com](http://www.diablo.nextdoor.com). Neighbors share crime/safety information, events, recommendations and items for sale, etc.

### The Devil's Advocate

is a publication of the Diablo Property Owners Association  
P. O. Box 215  
Diablo, CA 94528  
Editor: Elizabeth Birka-White  
925-820-6113  
Ebirka@aol.com

### ATTENTION NEW RESIDENTS

### Welcome to the Neighborhood!

New residents are an important part of our Diablo community. If you have recently moved to Diablo, or know of a new neighbor to Diablo, DPOA would like to hear from you! Please contact **Ruhi Alikhan** at 925-361-7449 or [ruhialikhan@gmail.com](mailto:ruhialikhan@gmail.com).

DPOA has a welcoming gift and information about the Diablo community for you. We are thrilled you are here and welcome you to Diablo!!!

### Need to Reach Us? Here's How:

#### Diablo Property Owners' Association

The DPOA meets every other month on the first Tuesday at 7:30 at the Diablo Country Club PO Box 215, Diablo, CA 94528. Please check the schedule posted at the Post Office.

#### Volunteer Board Phone Contacts:

Don Nejedly, President 925-838-0538  
Dana Pingatore, CFO 415-601-9274  
Terri Davis, Secretary 720-878-5296  
Jeff Mini 925-743-3710  
Ruhi Alikhan 925-361-7449

#### Diablo Community Service District

DCSD meets on the second Tuesday of every month at 7:30 PM at the Diablo Country Club

#### email contacts:

Ray Brant, President & Security Advisor  
[rbrant@diablocsd.org](mailto:rbrant@diablocsd.org)  
Kathy Urbelis, Vice President and Community Liaison Commissioner  
[kurbelis@diablocsd.org](mailto:kurbelis@diablocsd.org)  
Kathy Torru, Finance Commissioner  
[ktorru@diablocsd.org](mailto:ktorru@diablocsd.org)  
Shiela Langon, Roads Commissioner  
[slangon@diablocsd.org](mailto:slangon@diablocsd.org)  
Dave Watson, Director-at-Large  
[dwatson@diablocsd.org](mailto:dwatson@diablocsd.org)  
Dick Breitwieser, General Manager and Legal Counsel  
[dbreitwieser@diablocsd.org](mailto:dbreitwieser@diablocsd.org)

Also, the DCSD has created a website, <http://www.diablocsd.org>

Residents can login to get DSCD meeting agendas, minutes, and financials; organization history; community events and alerts; and information on both the Diablo Municipal Advisory Council and the Diablo Advisory Committee.

#### Diablo Advisory Committee

Peter Schmidt, Chairman  
[peterschmidt1979@hotmail.com](mailto:peterschmidt1979@hotmail.com) 837-5977  
Harry Baggett,  
Corresponding Secretary 837-7960  
Bob Beratta, Archivist 837-8551  
[beratta@sbcglobal.net](mailto:beratta@sbcglobal.net)  
Tony Geisler, Member 837-4670  
[awgeisler@sbcglobal.net](mailto:awgeisler@sbcglobal.net)  
Patrick Fanning, Recording Secretary 330-3195  
Robert Canepa, Member 837-7556

#### Historic Preservation Committee

**Co-Chairmen**  
Dee Geisler 837-4670  
Tony Geisler  
**Meeting Place:** On an as-needed basis

# DEVIL'S The ADVOCATE

## DPOA PRESIDENT'S MESSAGE

### Welcome to the Neighborhood

We are looking forward to welcoming new Diablo residents at the home of Terri and Kevin Davis at the Diablo Property Owners' Association's Newcomers Party in April. We appreciate the Davis' for hosting the event and extending such a warm welcome to our newest residents. The event gives those of us on the board and other active Diablo volunteers the chance to get to know the new faces in the community and answer their questions about Diablo. While no one would argue that Diablo's physical beauty certainly sets it apart from other neighborhoods, it is the relationships of its residents that truly makes Diablo such a special and charming place.

Our 2018-2019 Directory will be out soon, along with your auto decals. Thanks to Dana Pingatore and Kathy Torru for their efforts in compiling the updated book. We understand that technology has made printed directories seem somewhat quaint, but at least you can rest assured that the information contained within it will not be leaked to Cambridge Analytica. Well, not by us anyway.

I'd like to thank everyone who has contributed to the community through their 2018 DPOA dues. Your support helps make Diablo a true treasure. Our lovely entrances, this newsletter, the directory, the Ice Cream Social, the Hal-

loween party and the Flags of Diablo are all possible thanks to your community spirit. Jeff Mini is busy readying the new flag kits for the members who generously opted for our premium membership. Flags will be delivered in May, prior to our annual Memorial Day display.

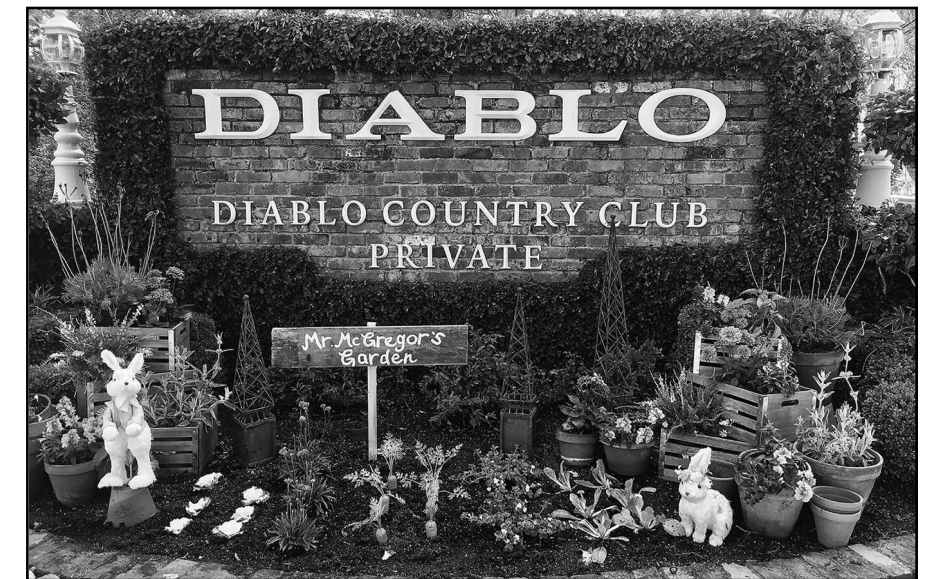
Mark your calendars for Saturday, May 19th for our Historic Preservation Committee's History Walk. A special thanks to Leslie Keane for chairing this wonderful event. David Mackesey will lead the Stroll through Diablo's Roaring Twenties, 13 of Diablo's historic homes. The tour begins at 10:30 am and space is limited. You can send your RSVP to [historydiablo@gmail.com](mailto:historydiablo@gmail.com).

Joining Nextdoor Diablo is a great way to keep up on the activity around Diablo. If you haven't joined yet, you can log on at [www.nextdoor.com](http://www.nextdoor.com) to get started. Remember to keep the

"social" in social media. New users will learn that it's polite to bring your trash cans in promptly on Mondays, to ask your guests to only park on one side of the street when visiting, to keep our roads clear of branches and overgrown hedges, and to always follow all applicable traffic laws, especially while bicycle riding. Now you should be caught up! While I personally prefer the old fashioned form of social media, chatting with neighbors at the Post Office, Nextdoor does allow for a quick way to get the word out. If you're experiencing a particular problem, it is always best to begin by knocking on your neighbor's door and get acquainted.

Enjoy the neighborhood and Happy Spring!

~Don Nejedly, President



Diablo Property Owners Association  
P. O. Box 215  
Diablo, CA 94528

P.O. Box Holder  
Diablo, CA 94528

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EDDM Retail

## DCSD NEWS

~by Kathy Urbelis

### Dick Breitwieser, DCSD Legal Counsel, Retires

After 51 years as Legal Counsel for the Diablo Community Services District (DCSD) Board and its predecessor, the Diablo Public Utilities District (DPUD), Dick Breitwieser retired in February. Following four and one-half years in the Navy and graduation from law school, Dick was appointed Legal Counsel to the DPUD in 1967. At the time, Diablo was evaluating whether it would be advantageous to dissolve the existing Utility District and create a new Community Services District that would be able to provide security for the community and its residents. Thus, Dick's first assignment was to work with the County and Diablo community leaders to establish the DCSD, which today continues to provide security as well as maintenance of our roads, culverts, bridges and Kay's Trail.

Dick continued to serve the Diablo community as the DCSD's Legal Counsel and General Manager for the next 51 years. Some of the more memorable projects he worked on were the annexation of surrounding County properties into Diablo. The projects included a small area of Calle Arroyo at Diablo Rd in 1973, more than 50 acres of upper Alameda Diablo and Diablo Lakes in 1975, Kay's Trail in 1982, two lower Alameda Diablo properties in 1995, and eight properties on Mt. Diablo Scenic Blvd in 2011.

In 1987, Dick and his wife Gail decided to make Diablo their home. As longtime residents and members of Diablo Country Club, they often can be seen with friends and neighbors on the golf course and bocce courts or in the Club House playing bridge and enjoying fine food and wine. When Dick is not working, enjoying the Club with friends or traveling with Gail, he can be seen ambling through Diablo with his dog, Mandy, ensuring that all is well.

While we are sad to lose Dick's legal expertise, the community will continue to benefit from his many years of experience and knowledge of history as he continues to serve as the DCSD's General Manager for the foreseeable future.

### Introducing Christie Crowl: New Legal Counsel for the Board

The DCSD Board is pleased to announce the appointment of Christie Crowl, attorney at Jarvis Fay, a firm that specializes in local government law, as the Board's new Legal Counsel. Christie received her bachelor's degree from UCLA and her law degree and public interest law certificate from the University of San Francisco School of Law.

She is currently the Assistant City Attorney for Hercules and has served as staff counsel to a variety of planning and public agency boards and legislative bodies. Christie is versed in Brown Act Compliance, in special district law, and has assisted in preparing sample policies and procedures for the California Special Districts Association. In recognition of her expertise in land use law, Christie was named a Super Lawyers of Northern California Rising Star for 2017.

Christie will be attending our monthly meetings, so be sure to welcome her to the community.

### Measure B—the Special Tax Election—Passes!

The DCSD Board thanks all residents who voted in this special mail-in election, especially those who voted in favor of the \$71 property tax increase to allow for the creation of a reserve for culvert and infrastructure failures in our road system. Two-thirds of the voters needed to agree to the increase for it to take effect. The new tax becomes effective in fiscal 2018-2019; the property tax invoice that you receive in September will be the first to include the additional \$71. Thank you so much for your support!

### Spring is Here!

Like all of you, members of the DCSD Board are delighted that the rains came, not in torrential and damaging storms like a year ago, but in calmer storms accented by hail, thunder and lightning on occasion. Knowing that there is snow in the mountains and seeing the trees in bud and the flowers beginning to bloom makes us all smile. With good weather on its way, we look forward to you joining us at any of our Board meetings, held on the second Tuesday of the month at 7:30 pm at Diablo Country Club, to let us know your concerns and how we are doing.

## MAGEE RANCHES UPDATE

### Dear Neighbors,

This will update you on Davidon Homes' proposed 69+ unit "Magee Ranches" project for the Diablo Road corridor.

Sixty-six of the homes (plus a minimum of 7 attached second residential units) would be built on land designated for Agricultural Open Space use and accessed from Blackhawk Road ¼ mile east of Mt. Diablo Scenic Blvd., next to Jillian Court. Incredibly, to circumvent a required Ballot Measure S public vote before any such Open Space land may be changed to residential use, the Danville Town Council claims that the 35+ acres to be covered by 66+ homes, infrastructure, and a 5-acre holding pond for floodwaters will remain in "Agricultural use". The other three homes would be built on McCauley Road across from the Green Valley School parking lot.

**Background:** The project's many environmental impacts – nearly 1000 more car trips per day, worsening existing congestion and threatening the many tens of thousands of bicyclists riding standard Diablo Road every year; flooding and erosion in the East Branch of Green Valley Creek that flows through Diablo; potential eradication of a thriving population of endangered CA red-legged frogs – caused hundreds of local residents to actively oppose the project. Nonetheless, the Town Council approved it in 2013 essentially as first publicly proposed and with no Measure S public vote. SOS – Danville Group, comprised of those local residents, sued the Town Council and won in 2016, forcing the Council to rescind its approvals. Subsequently, SummerHill Homes pulled out of the project and later Davidon Homes substituted in.

**Latest news:** To comply with the court's order, the Town is preparing a draft revised Environmental Impact Report ("EIR"), which the Town expects to release in mid-to-late April, 2018. In the meantime, SOS-Danville Group members have discovered even more information about the project's negative impacts and the substandard state of Diablo Road – more reasons why the project must not

be approved as is. For example:

1. School buses in jeopardy. The Measure-J-tax-funded TRAFFIX school buses (parents pay only 10% of the cost) that since 2009 have somewhat reduced peak traffic in the Diablo Road corridor are in jeopardy due to increasing costs. Yet the Town apparently is continuing to base all its EIR's traffic impact analyses on the unrealistic assumption that the buses will continue in perpetuity.

2. Diablo Road improvements, mitigation for the existing Magee Ranch development, never completed. Road remains substandard. With impact mitigation funds from the 1989 Magee Ranch development, Diablo Road between Mt. Diablo Scenic and Green Valley Road was supposed to be widened to 12 feet per lane with 2 feet shoulders on each side (Town Capital Improvement Project C-55b plans, 1994). In fact, the promised two-foot shoulders are mostly nonexistent, and the lanes are narrower than 12 feet and even than 11 feet in many locations. Under CA law the road is legally "substandard", meaning that a bicycle and a car cannot safely coexist in any of the lanes, and bicyclists are entitled to use the full lane. The Town has refused to acknowledge the actual conditions on the road and incorporate them into the EIR analyses, other than to say the lanes vary in width.

3. Almost zero enforcement of traffic safety laws on Diablo Road between Green Valley and Mt. Diablo Scenic Blvd. Despite many reported accidents, including ones involving cyclists, in the past five years there have been no tickets for crossing the double yellow line to pass cyclists and cars, and the few speeding tickets have been issued after there has been an accident. Town police state the low enforcement is due to the lack of safe locations to pull over violators.

4. Culvert too small; project will substantially increase floodwater backups during large storms. County Flood Control Department new information shows that the Alameda Diablo/Diablo Road culvert is too small and during large storms water will back up and overflow Diablo Road even more if the project is approved.

Schedule moving forward: We expect one Planning Commission hearing 45 days after the draft revised EIR's release. Two

weeks later, we anticipate one Town Council hearing with re-approval of the project as is. If that happens, we will have the option of forcing the Town Council to provide a referendum public vote on the project by obtaining within the 30 days following approval, 2700 valid Town of Danville registered voters' signatures on a legally-compliant referendum petition. Another lawsuit could also be filed.

Please email me to receive project updates. Many thanks to those of you that have supported this effort to protect our community!

With great appreciation and respect,

~Maryann Cella,  
Diablo resident since 1991  
maryann.cella@gmail.com  
SOS-Danville Group

## Reminder to All Residents re: Street Parking

**Diablo's roads are very narrow. Two cars parking opposite each other on both sides of the street is prohibited because it obstructs passage of EMERGENCY VEHICLES.**

**Whenever you schedule an event at your home, please tell invitees that they are only permitted to park on one side of the street. Assign someone or get assistance from a neighbor/volunteer/ service to assist with parking control. Consider asking your neighbors to allow use of their driveways to help alleviate distance concerns. Remember, it is absolutely critical for ambulances, fire engines, and/or police vehicles to be able to get to residences when emergencies arise. Please do your part to ensure this. Your neighbors will thank you.**

## SOCIAL NEWS

Diablo lost two longtime lions of the community this winter, as well as one gentle lioness, whose autumn obituary was missed in the December issue.



On October 26, **Virginia (Ginny) Carpenter Rei**, passed away peacefully at home surrounded by her beloved sons Tobey of Santa Rosa, Tim of Danville, Dave of Diablo, Chris of Chico, Ben of Oakland, and daughter Martha of Los Angeles. Ginny was born in 1924 in Boise, Idaho and reared in San Francisco where she graduated from Lowell High School. Ginny went on to UC Berkeley where she was Vice President of the Student Body, graduating with a degree in Landscape Architecture in 1948. It was at a sorority/fraternity mixer at Cal that she met and married the love of her life, Bill, in 1950. They were married 59 years until Bill's passing in 2010. The family moved to Diablo in 1959 where Ginny remained until her passing in October of 2017. We send sincere condolences to her children and grandchildren.



On January 4, 2018, **Jim Adams**, a resident of Diablo since his marriage to resident-since-birth **Penny Adams** in 1986, passed away. Born in Harpenden, England in 1936, Jim graduated from Oxford University. An engineer in the pulp and paper industry, Jim went to J F Kennedy Law School upon his retirement, passed the bar, but never practiced, instead devoting himself to public service in land-use issues in our community, and as a member of the Contra Costa County Grand Jury, President of the Diablo Property Owners Association, and a founder and chairman of the Diablo Municipal Advisory Committee. Jim will be sorely missed by Penny, his children Sonja and Paul, and all who had the pleasure of knowing him.



On January 26, 2018, **John I. "Jack" Gilbert** peacefully passed away at the age of 80, with his wife **Beverly**, and

*Continued on page 4*

# A Spring Stroll THROUGH Diablo's Roaring Twenties Saturday, May 19th

**\$10**  
Per Person Donation  
Appreciated

**10:30am** Tour begins in the gardens at "Tile Pile," 2043 Calle Los Callados

**12:30pm** Refreshments at "Wags Tail," 2067 Alameda Diablo

Led by David Mackesey, Club Historian of Diablo Country Club, the tour will highlight the history and architecture of 12 of Diablo's historic homes—our Diablo Treasures.

**RSVP:** HISTORYDIABLO@GMAIL.COM or call (209)988-8474

Sponsored by  
DIABLO PROPERTY OWNERS ASSOCIATION  
AND THE DIABLO HISTORIC PRESERVATION  
COMMITTEE

## Diablo's Treasures — The Historic Homes of Diablo

On December 3, 2002, Diablo was designated a "Historic District" by the Contra Costa County Board of Supervisors in recognition of its colorful history and its 61 historic homes and buildings. These structures were built during Diablo's Golden Era--1912 to 1929--though three were built even earlier as part of the Oakwood Stock Farm. Each was officially recognized as a "Diablo Treasure" by the Diablo Historic Preservation Committee and given a commemorative bronze plaque.

Sadly, in the intervening sixteen years, Diablo has lost ten of those designated historic homes. However, the D.H.P.C. has recognized two additional historic homes and one additional historic building, leaving 49 "Diablo Treasure" homes and five other "Diablo Treasure" structures: the Diablo Country Club, the Diablo Golf Course, the Chalet, the Red Horse Apartments and the Diablo Post Office. It is our fervent hope that these treasures will be celebrated and preserved.

**The Diablo Historic Preservation Committee**  
**Diablo Property Owners Association**  
**Post Office Box 215**  
**Diablo, CA 94528**

### Our Mission Statement

1. We celebrate Diablo's rich history, architecture and traditions.
2. We seek to educate and inform in order to deepen the understanding of and appreciation for our unique community and to preserve it.
3. We treasure Diablo's rural, tree-studded, park-like setting and its historical sites, and we promote their preservation, restoration and enhancement.

The present Diablo Historic Preservation Committee is chaired by Dee and Tony Geisler and meets at Diablo Country Club approximately every other month. We have 2 goals for 2018: 1. A stroll through the upper part of Alameda Diablo led by David Mackesey, former President of Diablo C.C. and its Historian, on Saturday, May 19 and 2. the publishing of a book covering each of the 54 historic homes and structures that are the "Diablo Treasures." Details on the walk are contained in a separate article in this issue of the Devil's Advocate. In order to achieve our goals we have established 3 subcommittees: 1. "Historic Walk" under the Chairmanship of Leslie Keene with Members David Mackesey, Debbie Scharnell, Kent Johnson, Scott Lawrence, Dee Geisler, and Joan Hines, 2. "Publishing" under the Co-Chairmanship of

Lara Shepherd and Mugs Freeman with Members Leslie Keane, David Mackesey and Dana Pingatore. Their charter is to determine the nature of the new book and arrange for its printing. 3. The stories on each of the "Treasures" has been completed by the Editorial Committee under the chairmanship of Dee and Tony Geisler with Members Mugs Freeman, Maryann Cella, David Mackesey, Dana Pingatore, Scott Lawrence, Barbara Beratta, Debbie Scharnell, Joan Hines, and Lyn Tiernan. Dee and I want to thank each of the members for their extensive efforts in researching and writing on each of the "Treasures."

After the completion of the walk, a reception will be held at the newly renovated home, "Wag Tails" owned by Kent Johnson and Scott Lawrence. "Wag Tails" is a prime example of how a home can be expanded while maintaining the street scape and historic charm that defines the unique character of Diablo. Below is a story on "Wag Tails" one of the 13 historic homes we will visit on May 19.

2067 Alameda Diablo is an English style Tudor home with a steep pitched gabled shingle roof that sits on the banks of the Dan Cook Creek. The initial owners, George C. Browne and Morgenia Browne were early members of the Mt. Diablo Country Club. They purchased several adjacent lots and built several homes on the "Oakside" property in 1925. Their children inherited the property, who subsequently subdivided one of the lots and sold Green Gates to Jack L. and Jessie Sichel in 1943.

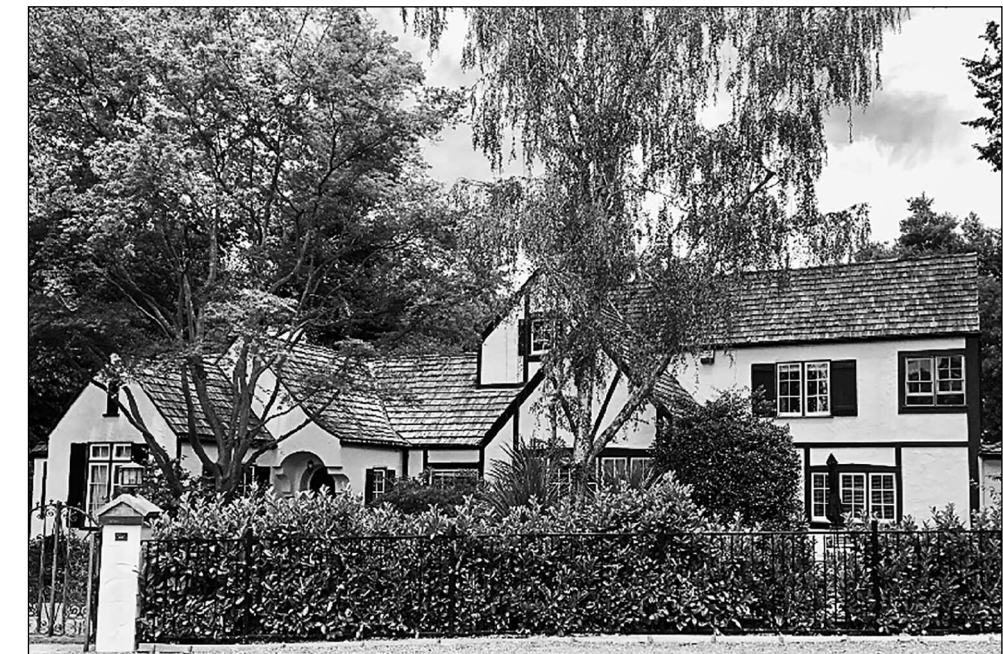
Later Charles A. and Nelle Butler lived in this home for 23 years. Lieutenant Colonel Butler was an avid horseman and served in both WWI and WWII. The devil stamp used on all of Colonel Butler's correspondence was given to Diablo's Postmaster Betty Johanson. She incorporated the devil design into the 75th anniversary commemorative postmark of the Post Office..

Samuel E. and Jane E. Statler owned the home from 1968-1974, then Thomas R. and Evelyn Jackson 1974-1982. Evelyn served as an editor for the Diablo Country Club's newsletter, the "Inferno". Subsequent owners include Terry C. and Diane L. Whitney (1982 to 1987), Ravi and Rocki Lai (1987 to 2008), and Carl and Jan Cox (2008 to 2014). Scott Lawrence and Kent Johnson purchased the home in 2014.

Although the residence has undergone several alterations, including converting the garage into a kitchen, a carport/ garage addition, a sleeping porch incorporated as interior space, and a change in the roof line at the front entry, it retains much of its integrity. The decorative half timbering and glass windows are original. A prominent gable at the living room is further accented by a dove cove window within the gable and a large multi-paned window.

Scott Lawrence and Kent Johnson love the unique barrel ceiling in the living room and a little attic room that feels like a secret hideaway. The smell of wood smoke from the century old fireplace transports Scott back to memories of his grandparents' home in New England.

~Dee and Tony Geisler, Chairmen



2067 Alameda Diablo, an historic Tudor home built in 1925