

# THE DEVIL'S ADVOCATE

DIABLO COMMUNITY NEWSLETTER



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## FALL BREEZE AND AUTUMN LEAVES

by The Diablo Property Owners' Association

The Owners' Association is hosting a few "socially distant" community events this fall: The End of Summer Social (Sunday Sept 12 2-5pm at the post office), a History Walking Tour (Sunday Oct 3rd), and a Town Hall Meeting on Zoning in Diablo (Thurs Oct 14th). We are continuing to share heartwarming stories about our longtime residents through our Diablo Honors program, maintaining the very popular lending library, installing fall themes at the entrances, and welcoming lots of new residents. If you have recently moved into Diablo, please e-mail [membership@diablopao.org](mailto:membership@diablopao.org) to let us know you are here!

Happy Fall Y'all  
Dana Pingatore

FALL 2021

## PATRIOTIC FLAGS HONOR SEPTEMBER 11TH

The flags are going up along the entrances to honor the twentieth anniversary of Sept 11th. Thank you Jeff Mini for conceiving and installing this unique patriotic flag display in Diablo for the last 10 years! Jeff is passing the torch this month to a group of volunteers to continue the tradition. Thank you Leslie Keane, Elizabeth Leftik and Terri Davis for your dedication to continuing this patriotic effort.



*Thank you Jeff Mini!*

## PREPARE NOW FOR WILDFIRE & EVACUATION

by Dana Pingatore

On August 11th, 100+ residents of the Diablo/Blackhawk Rd corridor met with public safety officials from the county, Town of Danville, and SRV Fire Protection District to learn more about fire safety and allay concerns regarding evacuation along our narrow 2 lane road corridor. Here are a few key takeaways from the discussion:

**Everyone should develop, document, and practice a personal evacuation plan** that includes multiple evacuation routes in case your normal route is blocked. People make strange decisions under duress. Visit [BE READY SRV](#).

**Sign up for BOTH Nixle and the Community Warning System notification** used by County Office of Emergency Services to communicate during emergencies.

During an emergency, our county sheriff and the **Danville police will operate under a uniform command and work with the fire department to evaluate conditions, issue evacuation orders, and remove barriers to traffic flow**. Expect traffic to move very slow - 3-5mph - as seen recently in South Lake Tahoe evacuation. This is common and to be expected. Sheriff is very good at moving traffic. **The county is implementing Zone Haven evacuation planning software**. The zones for the Diablo Blackhawk corridor has not been finalized and is expected by September 2021.

**"Sweat the small stuff" around your home.**

Even small piles of leaves and other vegetation that accumulate adjacent to your houses can help spread fire to shrubs and overhanging eaves. Patio furniture is highly flammable (unlike interior furniture). Move as much as you can away from house.

**Subscribe to Danville PD**

**Chief Shields informative community show called 10-8 on Facebook Live, recordings on YouTube. There are about 10 episodes related to fire/evacuation.**

Insurance cancellation is on the rise. **Some insurance carriers will write new policies for Firewise communities** (a framework to help neighbors in a geographic area get organized, find direction, and take action to increase the ignition resistance of their homes).

## PASS THE SCHOOL BUS = \$742 + 2 POINTS



The school bus comes thru Diablo 4x a day. It's illegal to pass the bus with red lights flashing. The fine is \$742 + 2 points on your record. Sheriff Dan gives NO warnings. Please leave a few mins early and share this reminder with all the drivers in your house.

# ENVISION CONTRA COSTA 2040

by Maryann Cella

Contra Costa County's government is proposing **significant changes to land use within Diablo** and all other unincorporated County communities (called the County's "General Plan"). Were the new General Plan passed by the Board of Supervisors, the current County Zoning Code would be conformed to changes in the General Plan. If adopted by the Board of Supervisors, **your property would be affected**. County planners have circulated a preliminary draft of some of the proposed changes for Diablo, including:

(1) **"Single-family" land use is proposed for elimination (with follow-on zoning to set the specifics within the land use parameters of the General Plan).** Currently, all residential lots in Diablo are restricted to single-family land use, even the Red Horse Apartments and the Chalets, which are historic structures that were built before County land use and zoning laws governing Diablo and therefore grand-fathered "Single-family" land use is proposed to be replaced with "Residential" land use, allowing for single and/or multi-family residential structures (e.g., apartments, condos, duplexes) to be built on all lots of sufficient size.

(2) **The permissible density is proposed to increase for almost all of Diablo (with follow-on zoning to set the specifics within the land use parameters of the General Plan).**

(a) The vast majority of the community is currently designated for Single-Family Residential-Low Density (1.0-2.9 single-family units/net acre) land use. That land use is proposed to be replaced with "Residential-Low Density" allowing 1-3 residential units/net acre. The practical effect of the increase will depend upon the size of each lot. For example, a net one-acre lot could potentially have 3 housing units of any type rather than only 2 single-family houses. A 2/3-acre lot could potentially have 2 housing units rather than 1 single-family house.

(b) A number of lots (accessed from either Caballo Ranchero or the upper Alameda Diablo/Diablo Lakes Lane/Via Diablo area) are now designated for Single-Family Residential-Very Low Density (0.2-0.9 units/net acre) land use. That land use is proposed to be replaced by "Residential-Very Low Density" allowing 0-1 residential units/net acre. The practical effect of the increase will depend on the lot size. For example, a one net acre lot could potentially accommodate one unit, whereas it could not under current land use regulation.

(c) There are two areas currently designated for Single Family-Low Density land use that are being proposed for **very large density increases**. The Chalets by the clubhouse are proposed to change from Single-Family-Low Density (1.0-2.9 single-family units/net acre) to Residential-Low-Medium Density (3- 7 housing units/net acre); and 10 properties on El Centro, one of which is the existing nine-unit Red Horse Apartments, are proposed for Residential-Medium Density (7-17 housing units/net acre). That means, for example, that the Red Horse apartments could potentially add 8 more units/net acre. A quarter net acre lot could potentially have 4 units.

The net effect of the changes would be to increase significantly permissible density and open the community to additional multi-unit development. That transformation appears particularly ill-suited to Diablo, a County-designated Historic District laid out more than 100 years ago, which is remote from arterial highways and along the already challenged Diablo Road. Moreover, since the original lots were built out, many additional homes and the expanded Diablo Country Club have burdened Diablo's narrow, winding, no-shoulder roads. Wildfire is an annual threat and emergency evacuation of Diablo would be difficult now, much less with more housing units contemplated. If you wish to learn more about the impact of the County's proposals and express your opinion, please attend a presentation by County planners being scheduled by the Diablo Community Services District/Diablo Municipal Advisory Council for **October 14 at 7pm, Diablo Country Club.**

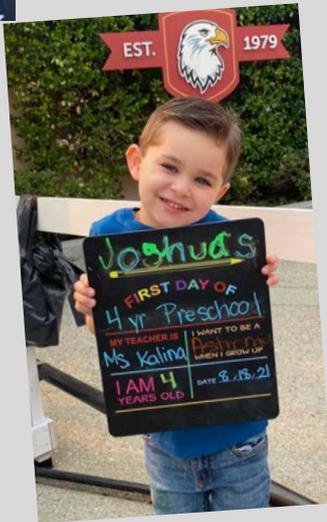
# DIABLO NEIGHBORHOOD PHOTOS



*DIABLO'S ROAD IMPROVEMENTS*



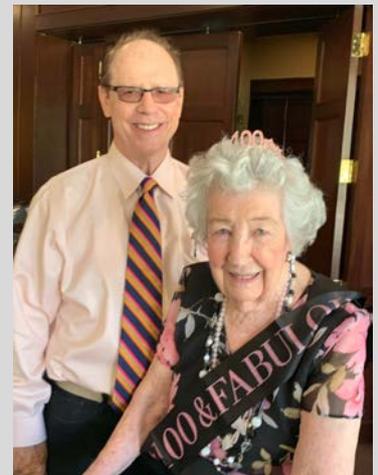
*WELCOME BACK TEACHERS AND STUDENTS!*



*FLAGS OF DIABLO*



*BETTY POTTS' 100th BIRTHDAY*



*...STOP BY THE POST OFFICE IN NOVEMBER TO SHARE WHAT YOU ARE THANKFUL FOR AND ENJOY THE GIFT OF GRATITUDE WITH YOUR NEIGHBORS*

# COMMUNITY EVENTS

**DIABLO'S  
END-OF-SUMMER  
SOCIAL**



**SUNDAY, SEPT. 12TH**  
— 2 - 5 PM —  
AT THE POST OFFICE

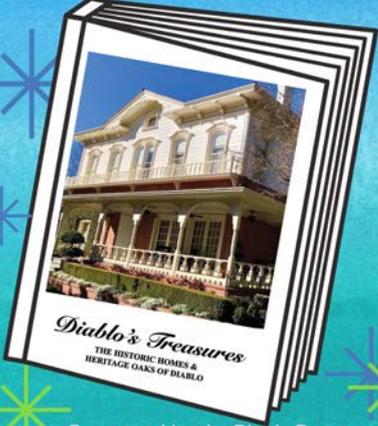
**ALL RESIDENTS WELCOME**

SPONSORED BY THE DIABLO PROPERTY OWNERS' ASSOCIATION

*Diablo History  
Walking Tour*

SUNDAY OCTOBER 3  
10AM-1PM

REGISTER AT  
[WWW.DIABLOPOA.ORG](http://WWW.DIABLOPOA.ORG)



A highlight tour of the historic homes featured in "Diablo Treasures"

Limited capacity  
Sign up today @  
[www.diablopoa.org](http://www.diablopoa.org)

Sponsored by the Diablo Property Owners' Association



DIABLO RESIDENTS

**TOWN HALL  
MEETING**

HOW WILL NEW ZONING  
CHANGES AFFECT DIABLO?

**Thursday, October 14, 2021**  
**@ 7pm Diablo Country Club**

Contra Costa County's proposed update to the general plan and zoning code will affect future growth and increase permissible density within Diablo. Meet with our county planners at 7pm on October 14th to discuss the impact on our community.

**FOR MORE INFO VISIT**

WEBSITE

**[DIABLOPOA.ORG](http://DIABLOPOA.ORG)**

INSTAGRAM

**[@DIABLO\\_COMMUNITY](https://www.instagram.com/DIABLO_COMMUNITY)**

EMAIL

**[MEMBERSHIP@DIABLOPOA.ORG](mailto:MEMBERSHIP@DIABLOPOA.ORG)**

# DIABLO HONORS RESIDENTS

## RECOGNIZING THOSE THAT HAVE LIVED AND CONTRIBUTED TO DIABLO FOR 50+ YEARS

by Jan Novak

Did you know that 17 of your neighbors have lived in Diablo for 50 years or longer? Five more will reach that milestone next year. We have long celebrated Diablo's historical homes and in 2021 will begin to celebrate our 22 neighbors that have contributed to our community for so many years and have fascinating stories to tell.

This edition will feature our next three Diablo Honorees - Mary Fairman (October), Bob & Lyn Tiernan (November) and Harry Baggett (December). **Look for the displays in the Post Office each month and read the full story on our website at [www.diablopoa.org](http://www.diablopoa.org).**

## HONORING MARY FAIRMAN

*Resident Since 1962*

Excerpt by Dee & Tony Geisler

Mary Fairman, a 59-year resident of Diablo, has a true love for both people and animals. Mary built her home on Alameda Diablo 59 years ago. She possesses a true love for both teaching and caring for animals. In addition to her dogs and horses, Mary and her husband Val developed a special affinity for the Peregrine falcons - raising and releasing over 30 Peregrines into the wild from right here in Diablo!

In 1956, Mary moved from Seattle to the Bay Area where she got a teaching job in South San Francisco. She met her husband Norval (Val) at a guest house or residence club that attracted college professionals. In 1963, the Fairmans built the home in Diablo in which Mary still lives and where they kept two horses for many years.



*Mary with her son, daughter-in-law and grandchildren  
Kylie, Jeff, Mary, Katy, Colter and dogs*



*Mary's graduation*



*Mary and Val's Wedding Day*

## HONORING BOB & LYN TIERNAN

*Resident Since 1963*

Excerpt by Marsh & Mugs Freeman

When Bob promised Lyn they could move to Diablo if she found them a lot with a tennis court, she did! She found a vacant lot on an empty stretch of Calle Arroyo with a dilapidated tennis court right in the middle. They couldn't pass up the dream location, so they bought the lot and built a house right around the tennis court! Bob and Lyn Tiernan have been actively involved in the country club and the Diablo community since they arrived in 1963. Bob was a founding board member of the community services district (DCSD).

During their 58 years in Diablo, Lyn has devoted herself to their four sons, eight grandchildren and eleven great-grandchildren, but she has also found time to play tennis, continue her nursing career, earn a degree in Public Health, become a nurse in Oakland, and serve as president of The San Francisco Women's Breakfast Club and the California Club of California, bake homemade treats for Historic Committee their board meetings and raise chickens and goats in her own backyard.



*Tiernans in 1962*



*Tiernans in 1994*

# HONORING HARRY BAGGETT

*Resident Since 1966*

Excerpt by Dee & Tony Geisler



*Harry and Jacquie in 2014*



*Harry and Jacquie's wedding*

Winemaker, author, veteran, community leader, father, grandfather, sportsman, professor, husband, world traveler, bread maker, marble champion. Harry Baggett has filled many roles in life and has been our great neighbor in Diablo for 55 years.

While in elementary school, Harry became known as the "Marble Champion of Chester, California." He carried a pocket full of marbles and would play games "for fun or for keeps". In 1947, Harry enrolled at Chico State and earned a Bachelors degree in business administration. He joined the U. S. Navy during the Korean War and "took trips on his uncle's (Sam) yacht (a destroyer)" after receiving his officer training at Treasure Island. Harry met his eventual soulmate and love of his life Jacquie Broderson at an officers party in Long Beach. In November 1966, they bought their home in Diablo. They quickly made friends. When they moved in, Bill was in third grade and Susan was in first grade. They were members of Diablo Country Club for 37 years. The children swam with friends and played tennis. He and his son had a lot of fun at the Diablo Father/Son picnic/fishing day at Lake Diablo. The Baggetts bought a horse for Susan and kept it corralled in the quarter acre behind the house in the summer. When Harry arrived home after work, he would ride it to the Post Office and up Mt. Diablo.



*Harry the sportsman*

Harry loves teaching. He taught at Diablo Valley College from 1966 until 1985, then at The Center for Higher Education, the extension campus of DVC, until 1993 when he retired. He was awarded "Teacher of the Year" at the Center for Higher Education.

## SOCIAL NEWS

### WEDDINGS

Marcy and Tom Parker are delighted to share the news of daughter Kat's engagement to Brian Chaskes. The wedding will take place on May 20, 2022 in Kenwood, California.

### BIRTHS

Elizabeth and David Birka-White announce with joy the birth of their first grandchild, Kiran Isla, born on July 11 in Santa Monica to son Adam and Rashmi Birka-White and weighing eight pounds, nine ounces. The new family has bought a home in the North Berkeley hills and will be returning to the Bay Area in March.

Marcy and Tom Parker are thrilled to announce the birth to son Thomas and his wife Bianca of baby boy George Thomas Parker IV on July 2. He weighed seven pounds and six ounces. They are building a new home for themselves in South Lyon, Michigan.

### GRADUATES

Keely Marie Prosser, daughter of Barbara and Scott Prosser and a graduate of San Diego State University in May 2021 with a major in Broadcast Journalism, headed off to Salt Lake City, Utah for a job at KUTV, a CBS affiliate in mid June.

Erin Happel, daughter of Gail and David Happel graduated from the Syracuse University Martin J. Whitman School of Management with a Bachelor's Degree in Marketing Management and a minor in Psychology. She is currently interviewing for marketing positions and hopes to remain in the Bay Area.

# DIABLO COMMUNITY SERVICES DISTRICT

By Kathy Urbelis

*The Diablo Community Services District (DCSD) is a California Special District and is governed by residents elected to a 5-member Board of Directors. The purpose of the DCSD is to provide security services to residents, maintain and improve roads, culverts under roads, and bridges within Diablo, and maintain Kay's Trail. [www.diablocsd.org](http://www.diablocsd.org).*

## **DCSD ORDINANCE CODE UPDATE**

The roads within Diablo, with few exceptions, are privately owned. Each property holder owns the land to the center of each road adjacent to their home. The DCSD, formed in 1969 by the County at the urging of Diablo residents, established a government entity responsible for the maintenance of these private roads and to provide security within Diablo.

In order for the DCSD to effectively maintain the roads and provide security, it was essential to establish Ordinance Code or laws governing the use of these District-maintained roads, from identifying locations for stop signs, to ensuring proper maintenance, and freedom from encroachments and obstacles. In addition, the Code identifies revenue sources and procedures for adding new roads, public hearings and appeals of decisions. The Ordinance Code is a living document that requires periodic review to ensure its compliance with changes in laws and the needs of the District.

At the next DCSD meeting on September 14, the Directors will review the proposed 2021 Ordinance Code, a rewrite of the 1993 Ordinance Code that was essential to bring it into compliance with current law and the District's Formation documents.

The following is a general and non-exhaustive overview of the changes made to the 1993 Ordinance Code:

- Clarified definitions, including the list of Diablo-maintained Streets
- Amended chapter(s) to reflect Measure B and current tax law
- Updated Vehicle Code references
- Updated/removed provisions to reflect current law and the District's authority pursuant to the Formation Documents
- Updated/removed provisions to reflect the results of the Tiernan litigation, including removal of section 5-2-202 which erroneously suggested that the District has the authority to preclude the public from use of the roads within its jurisdiction.
- Clarified procedures relating to: removal of encroachments, repair of damage, installation of signs and cameras, requests to reclassify non-maintained streets, public hearings, and appeals of DCSD decisions
- Inclusion of the recently adopted bidding and procurement procedures
- Re-numbered and re-organized chapters/provisions for ease of use and reference.

## **CONTINUED: Diablo Community Services District**

The proposed 2021 Ordinance Code is available on the DCSD's website [www.diablocsd.org](http://www.diablocsd.org). Residents with questions or comments on the proposed Code, should email them to the DCSD general manager (Kathy Torru) at [generalmanager@diablocsd.org](mailto:generalmanager@diablocsd.org) as soon as possible. The Board will be evaluating all comments during the September meeting.

A number of residents, who have commented on the Code have specifically expressed concern over the behavior of cyclists using our roads, e.g., not sharing the road with motor vehicles, not obeying vehicle code such as stopping at stop signs. The DCSD Directors share these concerns. More aggressive response to traffic violations with help from our Deputy Sheriff, Dan Buergi, is being addressed. The DCSD is also looking for other ways and means to mitigate the cycling situation in general. Residents who would like to brainstorm with the DCSD on this issue should reach out to Kathy Urbelis, DCSD President, as well as Security Commissioner, at [kurbelis@diablocsd.org](mailto:kurbelis@diablocsd.org).

### **PAVING THE WAY FOR SMOOTHER ROADS IN DIABLO**

Are you enjoying the smooth roads throughout Diablo lately? Over the last 12 months, the DCSD has put your tax dollars to work resurfacing all of the District-maintained roads in Diablo (except for upper Alameda Diablo which will be resurfaced next summer). These road projects require a significant amount of planning and coordination by the District volunteers and a fair amount of cooperation and patience from residents. While some may have had moments of roadwork fatigue," we hope you agree that the end result makes it all worthwhile. The resurfacing work preserves the integrity of road surfaces and, barring any surprises, we should not need to perform this level of road work for another seven years.

### **ENVISION CONTRA COSTA 2040**

Envision Contra Costa 2040 is a comprehensive update of the County's general plan, which serves as the basis for decision-making regarding land use, zoning, subdivisions, and future development. The project began in September 2018, with adoption of the updated documents anticipated for the first quarter of 2023. A draft of this major undertaking is expected to be completed and released in the first quarter of 2022. All county residents can review and comment on the working document at [Envision Contra Costa 2040 | Contra Costa County, CA Official Website](#). The target for a vote by the County Board of Supervisors is the end of the first quarter of 2023.

A briefing of the impact of this work on Diablo has been provided by Maryann Cella and is located in the general section of this newsletter. Please read it carefully. A Town Hall meeting with presentations by the County planners is scheduled for Thursday, October 14 at Diablo Country Club. It is our opportunity to see what is being planned for Diablo, get answers to questions, and provide feedback for the final draft. More data on the meeting will be available as we get closer to the date.

# WELCOME NEW RESIDENTS!

If you have recently moved into our community, we have a gift for you! Please reach out to [membership@diablopoa.org](mailto:membership@diablopoa.org) to let us know you are here!

We do not have a typical HOA here in Diablo. Instead residents all pitch in a nominal \$150 each year to the owners' association to cover shared community costs: plants, water weekly maintenance at the entrances, flags, decor at the post office, community activities and social events, as well as printing to deliver this newsletter to you. This is the kind of stuff that makes Diablo the special place you have chosen to make your home. You can find more information at [www.diablopoa.org](http://www.diablopoa.org)



Our mission is to enhance the community through beautification, social events, communication, and historic preservation. The DPOA is run by community volunteers and funded by annual contributions by residents. Formed in 1929, it is one of the oldest such organizations in California. Though our owners' association possesses no legal power, it acts as a sounding board and works with other organizations to facilitate community affairs and events.

Interested in contributing to the community?

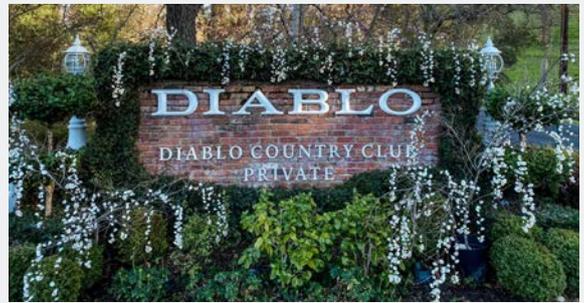
Looking for Volunteers!

- Flags of Diablo
- Seasonal Decor
- Welcome Committee
- Social Events
- Newsletter
- Community Projects

The Devil's Advocate is a great way to share the activities and events happening in our community and a method of keeping the communication lines open between our neighbors.

THE DEVIL'S ADVOCATE IS A PUBLICATION OF  
THE DIABLO PROPERTY OWNERS' ASSOCIATION  
P. O. BOX 215, DIABLO, CA 94528

COVER IMAGE: STEPHEN JOSEPH PHOTOGRAPHY



## CONTACT US

### Diablo Property Owners' Association Board

Website: [www.diablopoa.org](http://www.diablopoa.org)

Email: [membership@diablopoa.org](mailto:membership@diablopoa.org)

Dana Pingatore - President

Ruhi Alikhan

Terri Davis - Treasurer

Leslie Keane

Elizabeth Leftik - Secretary

Alyssa Phillips

Maddy Johnson

Jan Novak

Melissa Ovardia

Meeting Schedule: First Tuesday of every month at 7:30 via Zoom. Email [membership@diablopoa.org](mailto:membership@diablopoa.org) for meeting link.

### Diablo Community Services District Board

[www.diablocsd.org](http://www.diablocsd.org)

Kathy Urbelis, President and Security Commissioner

[kurbelis@diablocsd.org](mailto:kurbelis@diablocsd.org)

Leonard Becker, Vice President

[lbecker@diablocsd.org](mailto:lbecker@diablocsd.org)

Jeff Eorio, Secretary

[jeorio@diablocsd.org](mailto:jeorio@diablocsd.org)

Greg Isom, Finance Commissioner

[gisom@diablocsd.org](mailto:gisom@diablocsd.org)

Matthew Cox, Roads Commissioner

[mcox@diablocsd.org](mailto:mcox@diablocsd.org)

Kathy Torru, General Manager

[generalmanager@diablocsd.org](mailto:generalmanager@diablocsd.org)

Christie Crawl, Legal Counsel

Jarvis, Fay & Gibson, LLP

Meeting Schedule: 2nd Tuesday of every month at 7:30pm via Zoom. Visit [diablocsd.org](http://diablocsd.org) for meeting agendas, minutes, financials, history and info on both the Diablo Municipal Advisory Council and the Diablo Advisory Committee.

### Historic Preservation Committee Co-Chairs

Dee Geisler 837-4670

Tony Geisler

Please also visit [www.diablopoa.org](http://www.diablopoa.org) or our Instagram page @Diablo\_Community for more information on what's happening in our community.

[www.diablopoa.org](http://www.diablopoa.org)