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MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF  
DIABLO WATER DISTRICT  
HELD ON FEBRUARY 24, 2021

Directors:  
Paul Seger  
President

Scott R. Pastor  
Vice President

Kenneth L. Crockett  
Marilyn Tiernan  
Joe Kovalick

General Manager  
& Secretary:  
Daniel Muelrath

General Counsel:  
Wesley A. Miliband

Due to the current COVID-19 Pandemic, Local Health Orders, and the Governor's Health Orders, the Regular Meeting of the Board of Directors of Diablo Water District was held on February 24, 2021 at 6:30 pm via conference call / web as noticed in the posted agenda.

**1. Call to Order and Roll Call**

The regular meeting of the Board of Directors of Diablo Water District (District) was called to order by President Seger at 6:32 p.m. on February 24, 2021.

Directors Present: Seger, Pastor, Crockett, Tiernan, Kovalick  
Staff Present: Dan Muelrath, Kait Knight, Nacho Mendoza  
General Counsel: Wes Miliband (AARLL)  
District Engineer: Bill Brick (CDM Smith)  
Others Present: Angela Lowery (ISD Liaison), Dana Brechwald (BCDC), Andrew Schwarz (Delta Council), Judy Nishimoto (CDM Smith), Members of General Public

**2. Public Input.** (Anyone present may address the Board of Directors on any subject within the jurisdiction of Diablo Water District. If the subject item is on this Agenda, please hold public comment until the appropriate item).

None.

**3. Consent Calendar.**

It is recommended by the General Manager that these items, which are expected to be routine in nature and without controversy, be received and acted upon by the Board without discussion. If any Board member or interested party requests that an item be removed from the Consent Calendar for discussion, it will be considered

separately. *The consent calendar may be approved by a single motion to approve, followed by a second and then a call for vote.*

**A. Minutes of the Regular Meeting of January 27, 2021.**

Staff Recommendation: Approve.

It was moved by Director Kovalick, seconded by Director Tiernan, and approved by the following vote to approve the Consent Calendar item 3.A.

AYES: Pastor, Crockett, Kovalick, Tiernan, Seger

NOES: None

ABSTAIN: None

**4. San Francisco Bay Conservation and Development Commission Presentation.**

Presentation by Dana Brechwald (BCDC) was received.

**5. Delta Stewardship Council Presentation.**

Presentation by Andrew Schwarz (Delta Council) was received.

**6. Letter of Support to Annex M26 Beacon West (CCWD only) and M28 Willow Park Mobile Home Park (DWD and CCWD).**

Staff Recommendation: Authorize the General Manager to provide a letter of support to CCWD for the annexation of M26 into CCWD's service area and M28 into both CCWD's and the District's service area.

It was moved by Director Crockett, seconded by Director Kovalick, and approved by the following vote to authorize General Manager Muelrath to provide a letter of support to CCWD for the annexation of M26 into CCWD's service area and M28 into both CCWD's and the District's service area.

AYES: Tiernan, Kovalick, Crockett, Pastor, Seger

NOES: None

ABSTAIN: None

**7. Regulation 101 Update.**

Staff Recommendation: Adopt Resolution No. 2021-02

Director Kovalick requested that additional references and information be provided to the Board for further review – no Board action was taken on this request.

**8. Financial Reports.**

Staff Recommendation: Approve warrant register 2021-1, ACH and wire transactions, and receive the monthly financial statements.

It was moved by Director Tiernan, seconded by Director Crockett, and approved by the following vote to approve warrant register 2021-1, ACH and wire transactions, and receive the monthly financial statements.

AYES: Tiernan, Kovalick, Crockett, Pastor, Seger

NOES: None

ABSTAIN: None

**9. FY 2021/2022 Budget Workshop.**

The Board requested that all proposed items be presented in the draft Fiscal Year Budget for 2021/2022.

**10. 2021 Strategic Planning.**

- Strategic Planning Meeting Deliverables
- Draft Policy Statements
  - The Board requested a Special Board Meeting to discuss policies.
  - Director Kovalick expressed concern over new development installing turf for landscaping by developers and would like to see the District adopt additional measures to ensure low water use landscaping.
- Recycled Water

- General Manager Muelrath recommended moving language that was too specific and directive, to the future regulations rather than remain in the draft policies.

**11. Risk and Resiliency Assessment Update.**

Presentation by Bill Brick and Judy Nishimoto (CDM Smith) was received. Director Kovalick requested a list of all recommended improvements with costs associated as well as the threat of flooding to be addressed.

**12. General Manager's Reports.**

- Water Supply Charts
- ACWA JPIA Insurance Recognition Award

**13. General Counsel's Reports.**

- Brown Act overview presentation by Wes Miliband (AARLL) was received.

**14. Engineer's Reports.**

- Construction project updates were provided on projects that made significant progress since the previous Board meeting.

**15. Director's Reports.**

- Representatives presented verbal reports on meetings they attended.

**16. Future Agenda Items.**

- Preliminary list of items for the next two months was presented.
  - Director Tiernan requested recycled water funding be added to a future meeting.
  - Director Kovalick requested that the District's weed abatement program and equity and inclusion policy be added to a future meeting.
- It was also reported that a separate special meeting would be sought in March to solely handle Board policy related items.

**17. Next Meetings of the Board of Directors.**

- March 24, 2021
- April 28, 2021
- May 26, 2021

**18. Adjournment.**

Director Crockett adjourned the meeting at 11:15 p.m.



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**Dan Muelrath, General Manager/Secretary**