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Directors:
Marilyn M. Tiernan
President

Scott R. Pastor
Vice President

Paul Seger
Joe Kovalick
Jason Shaw

General Manager:
Daniel Muelrath

General Counsel:
Wesley A. Miliband

Secretary:
Kait Knight

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
DIABLO WATER DISTRICT
HELD ON JANUARY 25, 2023

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 January 25, 2023 at 6:30 pm at the District's office, 87 Carol Lane, Oakley, California and 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 Marilyn Tiernan at 6:30 p.m. on January 25, 2023.

Directors Present: Tiernan, Pastor, Seger, Kovalick, Shaw

Staff Present: Dan Muelrath, Kait Knight, Jennifer McCoy, Nacho Mendoza

General Counsel: Wes Miliband (AARLL)

District Engineer: Bill Brick (CDM Smith)

Others Present: 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). **All virtual attendees will remain on mute until called upon to address the Board.**

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. Remote Meeting Access Approval.

Staff Recommendation: Approve remote meeting access for the current agenda.

B. Minutes of the Special Meeting of December 12, 2022.

Staff Recommendation: Approve.

It was moved by Vice President Pastor, seconded by Director Seger, and approved by the following vote to approve the Consent Calendar.

AYES: Pastor, Seger, Kovalick, Shaw, Tiernan

NOES: None

ABSTAIN: None

4. Financial Reports.

Staff Recommendation: Approve warrant register 2022-12, ACH wire transactions for December 2022, and receive the monthly financial statements.

It was moved by Director Seger, seconded by Director Shaw, and approved by the following vote to approve warrant register 2022-12, ACH wire transactions for December 2022, and receive the monthly financial statements.

AYES: Pastor, Seger, Kovalick, Shaw, Tiernan

NOES: None

ABSTAIN: None

5. Current District Solar Initiatives.

General Manager Muelrath updated the Board on the District's status of solar projects for the commitment of achieving Carbon Neutrality by 2027. He highlighted the grant-funded offset of solar already installed at the District's office and efforts to install solar at the District's reservoir site.

6. Strategic Initiatives.

General Manager Muelrath recapped the District's achievements and initiatives and highlighted where the District would need to invest time, staff and infrastructure to move forward over the next few years.

The Board expressed sentiments of gratitude for staff and the great policies that have been put into place.

7. Board Best Practice.

General Manager Muelrath and Board Secretary Knight reviewed best practices for Board and staff interactions, as well as board meeting efficiencies as an annual refresher.

8. General Manager's Reports.

- Water Supply Charts.

General Manager Muelrath noted that snowpack in California is 200% of normal to date. It could still dry out; however, it is significantly better than last year. The last snowpack reading will be on April 1st. The District has shown a 13% reduction in water use despite 9% growth. January is currently showing more usage so the District will be looking into the uptick in usage.

9. Engineer's Reports.

- Construction project updates.

Bill Brick, CDM Smith, reported on the status and progress of active projects.

10. General Counsel's Reports.

General Counsel Miliband reminded the Board that the Governor's State of Emergency would end as of February 28, 2023. AB361 would segue into AB2449 usage for instances of just cause and emergency as defined by the bill.

11. Directors' Reports.

- Representative verbal reports.
- Other items as needed.

Vice President Pastor recognized Ironhouse Sanitary District for honoring former Director, Ken Crockett, with a plaque at their meeting. He also reported that the recent storms put some of their transmission system over capacity with the emergency pumping out on Bethel Island.

President Seger attended the Contra Costa Water District board meeting. He noted there will be a 5% price increase for raw water purchases and a 7% increase for customers. He also shared that they are receiving funding for a portion of the canal replacement. They also discussed the JPA for the Los Vaqueros expansion.

Director Kovalick attended the City of Oakley meeting and reported that they swore in new members and discussed the new mayor and vice mayor positions. The City will also be utilizing Tyler Technology and discussed two Brownstone projects.

Director Kovalick also reported out for the Cybersecurity ad hoc meeting. The committee is going to review documents from AWWA and the EPA and report back with a plan for the District.

12. Future Agenda Items.

- Preliminary list of items for the next two months.
- Other items being tracked and awaiting a scheduled date.

General Manager Muelrath mentioned that the East County Water Management Association will bring forth an agreement amendment in April or May.

13. Next Meetings of the Board of Directors.

- January 26, 2023 - Special Meeting – Blue Sky Planning
- February 22, 2023 Regular Meeting – 6:30 pm
- March 22, 2023 Regular Meeting – 6:30 pm

Closed Session

14. Closed Session - Conference with Legal Counsel – Anticipated Litigation.

(Initiation of litigation pursuant to § 54956.9(c): (One potential case)

No reportable action.

Open Session

15. Adjournment.

Director Seger adjourned the meeting at 8:26 p.m.



Kait Knight, Board Secretary