



BOARD OF DIRECTORS:
MARILYN M. TIERNAN
PRESIDENT

SCOTT R. PASTOR
VICE PRESIDENT

PAUL SEGER
JOE KOVALICK
JASON SHAW

GENERAL MANAGER:
DANIEL MUELARTH

GENERAL COUNSEL:
WESLEY A. MILIBAND

BOARD SECRETARY:
KAIT KNIGHT

MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
DIABLO WATER DISTRICT
HELD ON JANUARY 24, 2024

The Regular Meeting of the Board of Directors of Diablo Water District was held on January 24, 2024 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.

Director Kovalick attended the meeting remotely as noticed in the agenda.

1. Call to Order and Roll Call and Pledge of Allegiance.

The regular meeting of the Board of Directors of Diablo Water District (District) was called to order by Director Tiernan at 6:32 p.m. on January 24, 2024.

Directors Present: Tiernan, Pastor, Seger, Kovalick
Staff Present: Dan Muelrath, Kait Knight, Nacho Mendoza, Wayne Weaver
General Counsel: Wes Miliband (AARLL)
Others Present: Bill Brick (CDM Smith), Angela Lowrey (Ironhouse)

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.

Action Items

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 Special Meeting of December 13, 2023.

Staff Recommendation: Approve.

B. Acceptance of Facilities – Anton Oakley, Elm Lane Workforce Housing.

Staff Recommendation: Adopt Resolution Number 2024 – 02.

General Manager Muelrath pulled item 3B from the consent calendar as there are unresolved items and the acceptance was not ready for Board approval.

It was moved by Vice President Pastor, seconded by Director Seger, and approved by the following vote to approve item 3A of the Consent Calendar.

AYES: Pastor, Seger, Kovalick, Tiernan
NOES: None
ABSTAIN: None
ABSENT: Shaw

4. Financial Reports.

Staff Recommendation: Approve warrant register 2023-12, ACH wire transactions for December 2023, and receive the monthly financial statement for November 2023.

It was moved by Director Seger, seconded by Vice President Pastor, and approved by the following vote to approve warrant register 2023-12, ACH wire transactions for December 2023, and receive the monthly financial statement for November 2023.

AYES: Pastor, Seger, Kovalick, Tiernan
NOES: None
ABSTAIN: None
ABSENT: Shaw

5. Officer and Representation Assignments.

Staff Recommendation: Should the Board desire, select the Board President, Vice President, and Representation Assignments.

General Manager Muelrath advised that the CCSDA assignment was added to explore Board interest in attending. Vice President Pastor volunteered for the assignment if Director Shaw was not interested.

Director Kovalick asked the Board if someone could take over the City of Oakley assignment. President Tiernan volunteered to take on the assignment and attend meetings. He noted he would remain active in his role serving on the District ad hoc committees as assigned.

Director Seger inquired if President Tiernan was stepping down in her role as president, and she informed the Board that she would remain as chair. Director Seger expressed interest in serving as representative for Groundwater Sustainability; however, President Tiernan requested to remain as representative for the group.

It was moved by Vice President Pastor, seconded by President Tiernan, and approved by the following vote to assign President Tiernan as representative for the City of Oakley and to remain on Groundwater Sustainability, Vice President Pastor as representative for CCSDA, and keep all remaining representation assignments as previously assigned.

AYES:	Pastor, Seger, Kovalick, Tiernan
NOES:	None
ABSTAIN:	None
ABSENT:	Shaw

Discussion Items

6. Good Governance Refresher.

General Manager Muelrath provided a good governance refresher to the Board, touching on Rosenberg's Rules of Order, the roles of the Board and Staff, as well as transparency, training, and other items. He advised the Board that Staff are working on icons for the agenda to correlate back to the District's guiding principles, and that further information would be provided to the Board regarding public records requests.

7. General Manager's Reports.

- Water Supply Charts.

General Manager Muelrath shared that the lack of snowpack from the warmer storms may be a concern for reservoir levels if there is no snowmelt in the summer.

He reported that total water demand is still down, so the District will not hit revenue projections, and Glen Park well is offline and should aim to be back online in March.

8. Engineer's Reports.

- Construction project updates.

Bill Brick, CDM Smith, reported on the status of construction projects, and mentioned that Elm Lane should be ready for the consent calendar in February.

9. General Counsel's Reports.

No report.

10. Directors' Reports.

- Representative verbal reports.
- Other items as needed.

Director Kovalick reported on the second meeting for the City of Oakley, sharing that they have hired a firm to work on CEQA and environmental impacts for the East Cypress Corridor. He mentioned that they were thinking of adding a bridge as a secondary exit for the area; however, that would only become an option if 800 more homes are built. He requested the District keep in the loop on that and anything concerning the East Cypress Corridor.

Vice President Pastor applauded Chad Davison of Ironhouse, for the advance notice he gave with his retirement announcement. He said Ironhouse is doing a solar project and might involve the District in future solar projects.

Vice President Pastor also attended the LAFCO meeting and shared that the Alamo Cemetery presented everyone attending with a binder showing their outreach attempts as they are running out of funds. General Manager Muelrath said that there is a primary seat open in the upcoming election for LAFCO, and Mike McGill has requested the District's support. Vice President Pastor said he would remain in his seat and the District can support Mike McGill through a resolution.

Director Seger reported that CCWD passed a rate increase and there were discussions of an additional 7% rate increase for untreated water. Regarding the Los Vaqueros Project, there is some discontent with Los Vaqueros JPA partners over the cost of the project and 3-7 years on buildout. He also noted that EBMUD

has veto power. There was a presentation from their legal counsel regarding Senator Padilla's low-income assistance bill. ACWA is supporting the bill, and he requested a presentation on the bill at a future meeting.

11. Future Agenda Items.

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

Director Seger reiterated his request for a presentation from legal counsel on Senator Padilla's low-income assistance bill.

12. Next Meetings of the Board of Directors.

- February 22, 2024 – Special Meeting with CCWD - 10:00 am
- February 28, 2024 Regular Meeting – 6:30 pm
- March 27, 2024 Regular Meeting – 6:30 pm

Closed Session

13. Closed Session – Conference with Legal Counsel – Anticipated Litigation (Government Code § 54956.9(d)(4))

Three Potential Cases

Closed Session – Conference with Real Property Negotiations (Government Code § 54956.8)

Property Description: Jersey Island located in Contra Costa County

Negotiation: Diablo Water District General Manager Dan Muelrath and Ironhouse/Reclamation District 830 Representative TBD

Under Negotiation: Terms and Price

No reportable action.

Open Session

14. Adjournment.

Director Tiernan adjourned the meeting at 9:05 p.m.



Kait Knight, Board Secretary