

BOARD OF DIRECTORS:  
MARILYN M. TIERNAN  
PRESIDENT

SCOTT R. PASTOR  
VICE PRESIDENT

PAUL SEGER  
JOE KOVALICK  
JASON SHAW

GENERAL MANAGER:  
DANIEL MUEL RATH

GENERAL COUNSEL:  
WESLEY A. MILIBAND

BOARD SECRETARY:  
KAIT KNIGHT

MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF  
DIABLO WATER DISTRICT  
HELD ON JUNE 11, 2025

The Special Meeting of the Board of Directors of Diablo Water District was held on June 11, 2025 at 2:30 pm at the District's Corporation Yard, 3990 Main Street, Oakley, California and via conference call / web as noticed in the posted agenda.

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

The special meeting of the Board of Directors of Diablo Water District (District) was called to order by President Tiernan at 2:37 p.m. on June 11, 2025.

Directors Present: Tiernan, Pastor, Seger, Kovalick, Shaw  
Staff Present: Dan Muelrath, Kait Knight, Jennifer McCoy  
General Counsel: Wes Miliband (Miliband Water Law)  
Others Present: Dawn Morrow (ISD), Additional District Staff, Members of the 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.

Action

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 May 28, 2025.**  
Staff Recommendation: Approve.

**B. Authorization to Execute Facilities Installation Agreement with Civic Summer Lake North, LLC for Subdivision 9621 Summer Lake North, Phase 1- Village 6 Improvements.**  
Staff Recommendation: Authorize the General Manager to Execute the Agreement.

**C. Authorization to Execute Facilities Installation Agreement with Live Oak Investors, LLC for Live Oak Industrial Park, 5400 Live Oak Avenue, Oakley.**  
Staff Recommendation: Authorize the General Manager to Execute the Agreement.

It was moved by Director Seger, seconded by Director Shaw, and approved by the following vote to approve the consent calendar.

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

**4. Financial Reports.**

Staff Recommendation: Approve warrant register 2025-5, ACH wire transactions for May 2025, and receive the monthly financial statement for April 2025.

It was moved by Director Shaw, seconded by Vice President Pastor, and approved by the following vote to approve warrant register 2025-5, ACH wire transactions for May 2025, and receive the monthly financial statement for April 2025.

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

**5. Fiscal Year 2025/26 Budget Approval.**

Staff Recommendation: Adopt the Fiscal Year 2025/26 Budget.

It was moved by Director Shaw, seconded by President Tiernan, and approved by the following vote to adopt the Fiscal Year 2025/26 Budget

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

**6. Legislation and Policy Framework.**

Staff Recommendation: Adopt the Legislation and Policy Framework and authorize the General Manager to use the framework for conveying the District's position.

It was moved by Director Shaw, seconded by President Tiernan, and approved by the following vote to adopt the Legislation and Policy Framework and authorize the General Manager to use the framework for conveying the District's position.

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

**7. Officer and Representation Assignments.**

Staff Recommendation: Fill the vacant positions that will be created by Director Pastor's resignation.

It was moved by President Tiernan, seconded by Director Shaw, and approved by the following vote for Director Shaw to fill the vacant position for LAFCO and Director Seger to fill the vacant positions for Ironhouse Sanitary District and the Recycled Water Ad Hoc.

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

It was moved by Director Seger, seconded by Director Kovalick, and the following vote for Director Kovalick to fill the vacant position for Vice President.

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

Motion failed.

It was moved by Vice President Pastor, seconded by Director Shaw, and approved by the following vote for Director Shaw to fill the vacant position for Vice President.

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

**8. Public Employee Contract—General Manager’s Employment Agreement, Addendum No. 1.**

Staff Recommendation: Approve Addendum No. 1 to the General Manager’s Employment Agreement.

It was moved by Director Seger, seconded by President Tiernan, and approved by the following vote to approve Addendum No. 1 to the General Manager’s Employment Agreement.

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

**Discussion Items**

**9. Resolution of Appreciation for Director Scott Pastor.**

General Manager Muelrath read highlights from the Resolution of Appreciation. The Directors thanked Vice President Pastor for his dedication and service.

**10. Director’s Regulations Update.**

Director Kovalick requested clarification regarding Director compensation and the process for replacing officers in the event of a vacancy.

General Manager Muelrath asked that any additional considerations be submitted within the month.

**11. District Engineer's Report.**

- FRC & MERA Update

Bill Brick, CDM Smith, reported on the FRC and MERA updates.

**12. Future Agenda Items.**

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

Items added to future agenda items include:

- Water quality concerns and promotion of groundwater recharge request to City to include in their general plan.

General Manager Muelrath noted that the FRC and MERA hearing is scheduled for the July 23, 2025 board meeting.

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

- July 23, 2025 Regular Meeting – 6:30 pm
- August 27, 2025 Regular Meeting – 6:30 pm
- September 24, 2025 Regular Meeting – 6:30 pm
- 


**Closed Session Items**

**14. Conference with Legal Counsel - Anticipated Litigation  
(Government Code § 54956.9(d)(4))  
One Potential Case**

Nothing to report.

**15. Adjournment.**

President Tiernan adjourned the meeting at 4:58 p.m.

  
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Kait Knight, Board Secretary